RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Prillhart
Director

July 20, 2015

Mark Malinowski, Chief
Santa Susana Field Laboratory & Northern California Schools Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826-3200

Dear Mr. Malinowski:

At your request, we are providing your office with information that may assist you when "determining the appropriate land use designation" for parcels in the Santa Susana Field Laboratory (SSFL) site. As noted in a previous communication to your office (see Attachment 3), the Ventura County General Plan already has an established land use designation for the entire SSFL site as follows:

General Plan Land Use Designation: Open Space

It is unlikely that the Open Space land use designation will change, as that change would require a "vote of the people" pursuant to a voter initiative titled the Save Open-space and Agricultural Resources Ordinance (SOAR). Development on land with the Open Space land use designation is subject to the applicable General Plan goals and policies, which are found primarily in Section 3.2: Land Use Designations (see Attachment 1). Other General Plan requirements that may apply include those found in Section 2.15, which addresses hazardous materials and waste. You can obtain access to a copy of the County's entire General Plan on the Planning Division web site at the following location:

http://www.ventura.org/rma/planning/plans/general-plan/index.html

Potential Future Uses:

Potential future uses within SSFL will be determined by the General Plan and by the Non-Coastal Zoning Ordinance. The County's General Plan includes a Zoning Compatibility Matrix (see Figure 3.2a, Attachment 1). As shown on that matrix, two zoning classifications are compatible with the Open Space land use designation:

- Open Space Zone (OS - 10 Acre Minimum)
- Agricultural Exclusive Zone (AE - 40 Acre Minimum).

Given existing zoning patterns in the SSFL area (see 'existing zoning' section below), it is likely that future zoning for SSFL will either be OS-160 or AE-40.

Attachment 2 (Article 5: Uses and Structures by Zone) contains a list of all allowable uses within the Open Space (OS) and Agricultural Exclusive (AE) zones. While the OS zone allows a wider range of uses than the AE zone, many of the same uses are allowed within both zones. In your letter, you indicated a particular interest in allowable residential uses

for SSFL, and you also requested clarification on the definition of the AE zone. The definition for the AE zone is located in Attachment 2, and Table 1 below includes a summary list of allowable residential and agricultural uses in the OS and AE zones, as defined by the County's Non-Coastal Zoning Ordinance:

Table 1: Allowable Residential & Agricultural Uses

Allowable Uses		AE Zone	OS Zone
Agricultural	Crop and Orchard Production[1]	X	X
	Animal Husbandry (animal raising)[2]	X	X
	Agricultural Contractors' Service and Storage yards and buildings	X	X
Animal Keeping, Non-Husbandry	Horses and Other Equines	X	X
	Kennels/Catteries	X	X
	Equestrian Centers	X	X
Residential:	Single Family Dwellings	X	X
	Second Dwelling Units	X	X
	Residential Care Facilities (6 or fewer)	X	X
	Boarding Houses / Bed-and-Breakfast Inns	X	X
	Family Day Care Home	X	X
	Farmworker Dwelling Units	X	X
	Animal Caretaker Dwelling Units	X	X
	Farmworker Housing Complex (multi-family)	X	X

As shown in Article 5 of the Non-Coastal Zoning Ordinance (Attachment 2), some of the uses listed above are exempt from permits while other uses require either a 'ministerial' or a 'discretionary' permit. Only discretionary permits require environmental review.

Current Zoning Patterns

Land within SSFL (see Attachment 2) is currently zoned Open Space (OS-160), which has a minimum lot size of 160 acres, or Rural Agricultural (RA – 5), which has a minimum lot size of 5 acres. According to County records, current zoning within SSFL is as follows:

Open Space (OS-160) Zone:	1,324.6 Acres (Consistent)
Rural Agricultural (RA-5) Zone:	1,525.9 Acres (Not Consistent)
Total Acreage:	2,850.5 Acres

[1] See Section 8105-4 for a complete list of allowable uses. A wide range of crops and fruit-bearing trees are grown in Ventura County, and this use includes wineries and other uses related to agriculture.
[2] This includes a wide range of animals, including cattle (ranching), horse ranches, etc.

Boeing owns all land zoned Open Space (OS-160) and 1,074.7 acres of land zoned RA-5. The U.S. Government (NASA) owns the remaining 451.2 acres of land zoned R-5.

As discussed above, the current RA-5 zoning is not consistent with the General Plan, which means that current zoning could not be utilized for development unless a successful General Plan Amendment were processed by the landowner. That being said, good zoning practice results in larger blocks of land with the same zoning. Land that is currently zoned RA-5 is adjacent to land zoned OS-160 or AE-40. Given that fact, it is likely that future zoning for those portions of SSFL that are currently zoned RA-5 will be rezoned to either be OS-160 or AE-40.

Pursuant to State law, rezoning requires a public hearing process by the County's Planning Commission and Board of Supervisors, and it would be speculative at this time to assume which of the two zones will be selected. However, as shown in Table 1 above, both of the zones that are compatible with the General Plan land use designation (OS, AE) allow for a wide array of both residential and agriculture land uses.

For additional information regarding land use for the SSFL site, please see prior correspondence from the County's Resource Management Agency (Attachment 3) and Planning Division (Attachment 4).

If you have any questions or would like to discuss this further, please feel free to contact me at (805) 654-2481 or via e-mail at kim.prillhart@ventura.org.

Sincerely,

Kim Prillhart, Director
County of Ventura Planning Division

cc: Office of Supervisor Foy
Office of Supervisor Parks
Chris Stephens, RMA Director

Attachments:

Attachment 1: General Plan - Excerpts from the Ventura County General Plan

Attachment 2: Zoning Diagram and Non-Coastal Zoning Ordinance Excerpts

Attachment 3: Letter from Planning Division dated January 8, 2014 to Mr. Mark Malinowski, Department of Toxic Substances Control

Attachment 4: Letter from Resource Management Agency dated September 27, 2013 to Mr. Allen Elliot, SSFL program Director, NASA

VENTURA COUNTY GENERAL PLAN

GOALS, POLICIES AND PROGRAMS

Last Amended by the Ventura County Board of Supervisors
on
October 22, 2013

Ventura County General Plan
GOALS, POLICIES AND PROGRAMS

2013 Decision-Makers and Contributors

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Linda Parks	Second District
Kathy Long	Third District
Peter Foy	Fourth District
John Zaragoza	Fifth District

Ventura County Planning Commission:

Paul Magie	First District
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http://www.ventura.org/rma/planning

Figure 2a
Hazards Protection Map (North Half)
(separate document)

[Click above to go to map]

Figure 2b
Hazards Protection Map (South Half)
(separate document)

[Click above to go to map]

3. Land Use

The purpose of the Land Use Chapter is to set *goals, policies* and *programs* to guide future growth and development in the unincorporated area of Ventura County in a manner consistent with State legal mandates and requirements and in a manner consistent with the goals and quality of life desired by Ventura County citizens. The *policies* of the Land Use Chapter provide the basis for all decisions related to the use of the land and the further expansion of the various communities within the County. They also provide the basis for the establishment of zoning and subdivision regulations, the review of capital improvement programs, the development of housing and redevelopment programs, and other programs related to land use.

In accordance with Section 65302(a) of the Government Code, the Land Use Chapter of the General Plan identifies the goals, policies and programs which guide the distribution, general location and extent of uses of land for housing, business, industry, open space, including agriculture, and other categories of public and private uses of land in the County. This Chapter also establishes the standards of population density and building intensity for various land use designations covered by the plan.

To avoid duplication of material presented in other chapters of this General Plan, not all of the issues listed in Section 65302(a) are included in this chapter. The goals, policies and programs which apply to natural resources and scenic beauty are addressed in the Resources Chapter. The goals, policies and programs which apply to areas subject to flooding are addressed in the Hazards Chapter. The goals, policies and programs which apply to solid and liquid waste disposal facilities, education, recreation, and other public buildings and grounds are addressed in the Public Facilities and Services Chapter.

This Chapter also includes the goals, policies, and programs governing open space as required by Sections 65302(e) and 65560 et seq. of the Government Code. Furthermore, this Chapter includes the goals, policies, and programs governing housing as required by Sections 65302(c) and 65580 et seq. of the Government Code.

The specific goals, policies and programs are listed under the major headings of General goals, policies and programs, Land Use Designations, Population and Housing, and Employment and Commerce/Industry. The official General Land Use Maps are not physically bound as part of this text, but are presented as companion materials accompanying the text. For reference purposes, these maps are identified as Figure 3.1.

The Land Use Appendix summarizes the land use designations, the acreages for each designation, and the corresponding population densities and building intensities for each. The tables in the Appendix include the land use designations for the incorporated and unincorporated areas for use in comprehensive Countywide programs such as air quality management, and water quality management planning, solid waste planning, transportation planning and housing planning. The tables are based on the General Land Use Map included in this Plan, as well as the currently-adopted land use plan maps from each city General Plan and currently-adopted County Area Plans.

3.1 General Goals, Policies and Programs

The following general goals, policies, and programs apply to land use:

3.1.1 Goals

1. Ensure that the County can accommodate anticipated future growth and *development* while maintaining a safe and healthful environment by preserving valuable natural resources, guiding development away from hazardous areas, and planning for adequate public facilities and services. Promote planned, well-ordered and efficient land use and *development* patterns.
2. Promote the establishment of reasonable city boundaries and Spheres of Influence (Figure 3.5) and prevent step-out urban *development.*

3. Promote appropriate and orderly growth and *development* while protecting desirable existing land uses and a desired quality of life.

4. Ensure that land uses are appropriate and compatible with each other, and guide *development* in a pattern that will minimize land use conflicts between adjacent land uses.

5. Ensure that Countywide growth and *development* is consistent with the *Guidelines for Orderly Development.*

3.1.2 Policies

1. **General Land Use Maps**: The *goals* and locational criteria set forth in this Chapter are general guidelines for determining whether land should be within a particular land use designation depicted on the General Land Use Maps (Figure 3.1). The land use designation applied to a specific parcel of land shall be as designated on the General Land Use Maps, whether or not such parcel meets all of the applicable criteria.

   The General Land Use maps cover the mainland only. Anacapa Island is designated "Open Space" and San Nicholas Island is designated "State or Federal Facility."

2. **Consistency of Zoning**: Zoning shall be consistent with the General Land Use Maps (Figure 3.1) and the Zoning Consistency Matrix (Figures 3.2a & b). Where the zoning and subdivision criteria applicable to a particular land use category require a specific subzone, zoning shall be considered consistent with such land use category only if the specified subzone is adopted. To determine the appropriate zone and subzone designation (from among those consistent with the appropriate land use designation), the following factors shall apply:

   - Recognizing the desirability of retaining existing uses and densities on the subject land;
   - Recognizing the desirability of accommodating anticipated uses on the subject land;
   - Maintaining continuity with neighboring zoning, land uses and parcel sizes;
   - Implementing the recommendations of any specific zoning and land use studies of the area in question;
   - Recognizing and addressing the presence and significance of resources and hazards; and
   - Evaluating the ability to provide public services and facilities.

3. **Consistency of Land Use**: Any land use shall be deemed consistent with the General Plan if it is permitted under a zoning designation which is consistent with Policy Number 2 above, and if the land use does not conflict with any other policy of the County General Plan.

4. **Area Plans**: Plans for specific geographic subareas of the County may be adopted as part of the County General Plan. Area Plans shall be consistent with the General Land Use Map, although the Area Plans may be more specific. Figure 3.3 indicates the areas covered by the Area Plan maps.

5. **Building Intensity and Population Density**: Except for Affordable/Elderly Housing developments that are eligible for density bonuses as specified in Article 16 of the Non-Coastal Zoning Ordinance, and Cultural Heritage Sites that are eligible for deviation as specified in the Non-Coastal Ordinance, the following building intensity and population density standards apply to the unincorporated areas of the County:

   - For Area Plans, the building intensity and population density standards that appear in each respective plan shall apply to lands covered by the Area Plan maps.
   - For Existing Communities (as defined and discussed in Section 3.2), the building intensity and population density standards shall be as specified on the tables which accompany each Existing Community map contained in this Chapter commencing with Figure 3.6.
   - For all other unincorporated areas, the building intensity and population density standards shall be as specified in Figure 3.4.

6. **Minimum Parcel Size**: Except as provided below, subdivisions of land shall meet the most restrictive minimum parcel size requirements established by Figures 3.1 and 3.2a & b, by the applicable Zoning Compatibility Matrix established by the respective Area Plans or by the applicable Existing Community Map contained in this Chapter commencing with Figure 3.7.

- A water well site or sites may be created on a lot for the sole purpose of transferring, by lease or sale, possession of the well and so much of the land around the well as may be necessary for its operation. Such wells shall be for agricultural purposes only.
- Parcels for public purposes such as, but not limited to, fire, police, water wells, flood control and other public health and safety facilities, are exempt from these minimum parcel size requirements.
- Affordable/Elderly Housing developments that are eligible for density bonuses as specified in Article 16 of the County Non-Coastal Zoning Ordinance may be granted a reduction from the minimum parcel size requirements in accordance with the provisions of Article 16.
- Parcels designated Cultural Heritage Sites may be granted a reduction from the minimum parcel size requirements in accordance with the Non-Coastal Zoning Ordinance.
- Parcels subdivided for natural resource conservation purposes in accordance with the Parcel Map Waiver/Conservation Subdivision process established in the Subdivision Ordinance.
- Parcels of less than the prescribed minimum lot area may be allowed for Farmworker Housing Complexes on land zoned AE within or adjacent to a city Sphere of Influence, provided the remaining non-farmworker housing complex parcel is a minimum of 10 acres.

7. **Nonconforming Parcel Size**: The use or development of a parcel which is a legal lot for the purposes of the County Subdivision Ordinance, but which fails to meet the minimum parcel size requirements of the applicable land use category, shall not be prohibited solely by reason of such failure. However, this policy shall not be construed to permit the subdivision of any parcel into two or more lots if any of the new lots fails to meet the minimum parcel size requirements.

8. **Interpretation of Boundaries**: Because of the scale of the General Land Use, Area Plan and Existing Community maps, it is not always possible to show boundaries of land use designations precisely enough to exactly represent property lines or geographic features. Where the precise location of boundaries depicted on the General Land Use, Area Plan or Existing Community Map is uncertain, the Planning Director is authorized to resolve the uncertainty. The Map lines or boundaries should follow natural or man-made boundaries. Where the scheme of the map in the immediate area in question is to follow a certain type of natural or man-made boundary, the uncertainty should be resolved consistently with that scheme. The following list contains examples of natural or man-made boundaries:

   - water courses,
   - ridge lines,
   - toes of slopes,
   - lines marking changes in vegetation,
   - lines marking changes in slope,
   - parcel boundaries,
   - roads,
   - rail lines,
   - utility corridors,
   - lines separating different land uses,
   - lines marking the separation between a group of large lots from a group of small lots, and
   - lines marking features or designations referenced in the definitions and criteria of the various land use categories.

9. **Concurrent Processing**: Zone changes, if necessary, shall be processed concurrently with General Plan Amendments to assure zoning consistency.

10. **Variances**: Variances to minimum parcel size requirements and building intensity standards, height and setback standards applicable to a given property may be granted provided that all of the following conditions are met:

    (1) There are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography, location, or surroundings, which do not apply generally to comparable properties in the same vicinity and land use designation;

(2) Granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and land use designation;

(3) Strict application of the minimum parcel size requirements and building intensity standards as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such requirements and standards; and

(4) The granting of such variances will not be detrimental to the public health, safety, or general welfare, nor to the use, enjoyment or valuation of neighboring properties.

Any such variance shall be processed in the same manner and subject to the same standards as a variance respecting zoning regulations.

11. **Guidelines for Orderly Development**: *Discretionary development* shall be consistent with the *Guidelines for Orderly Development.*

3.1.3 Programs

Greenbelt Agreements: In order to maintain the integrity of separate, distinct cities and to prevent inappropriately placed development between city boundaries, some cities and the County have entered into joint *greenbelt agreements.* These agreements protect open space and agricultural lands and reassure property owners located within these areas that land will not be prematurely converted to uses which are incompatible with agriculture or open space uses. In addition, the *greenbelt agreements* reinforce the County *Guidelines for Orderly Development.* Traditionally, agreements have been executed as joint or co-adopted resolutions by mutually interested cities and, in cases where the County is a party to it, by the Board of Supervisors.

Greenbelt agreements have been adopted for the following areas:

- Between the cities of Ventura and Santa Paula.
- Between the cities of Santa Paula and Fillmore.
- Between Fillmore and the Los Angeles County Line (excluding the Community of Piru).
- Between the cities of Ventura and Oxnard westerly of Oxnard to Harbor Blvd.
- Between the cities of Oxnard and Camarillo.
- East of the City of Camarillo for the westerly portion of the Santa Rosa Valley.
- Tierra Rejada Valley.

Additional *greenbelt agreements* should be considered by the County and the appropriate cities for the following respective areas:

- Las Posas Valley.
- Hidden Valley.
- Upper Ojai Valley.
- Between Moorpark and Simi Valley north of Highway 118.

3.2 Land Use Designations

Six basic land use designations are utilized on the General Land Use Map: Urban, Existing Community, Rural, Agricultural, Open Space, and State and Federal Facilities. In addition, the General Land Use Map includes an overlay designation of Urban Reserve. These designations are defined as follows:

- The **Urban** land use designation is utilized to depict existing and planned urban centers which include commercial and industrial uses as well as residential uses where the building intensity is greater than one principal dwelling unit per two acres.

  This designation has been applied to all incorporated lands within a city's Sphere of Influence as established by the Local Agency Formation Commission (LAFCO), and unincorporated urban centers within their own Areas of Interest which may be candidates for future incorporation.

  - An *Unincorporated Urban Center* is an existing or planned community which is located in an Area of Interest where no city exists. The unincorporated urban center represents the focal

center for community and planning activities within the Area of Interest. For example, the Community of Piru represents the focal center in the Piru Area of Interest.

- An *Area of Interest* is a major geographic area reflective of community and planning identity. Within each Area of Interest there should be no more than one city or Unincorporated Urban Center, but there will not necessarily be a city or Unincorporated Urban Center in each Area of Interest. Figure 3.5 shows the current Area of Interest boundaries for the County.
- A *Sphere of Influence*, as used in this General Plan, is an area determined by LAFCO to represent the "probable" ultimate boundary of a city (LAFCO also recognizes Spheres of Influence for special districts, which are not discussed in this Chapter). The adoption of Spheres of Influence is required by Government Code Section 56425.

- The **Existing Community** designation identifies existing urban residential, commercial or industrial enclaves located outside Urban designated areas. An Existing Community may include uses, densities, building intensities, and zoning designations which are normally limited to Urban designated areas but do not qualify as urban centers. This designation has been established to recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; to contain these enclaves within specific areas so as to prevent further expansion; and to limit the building intensity and land use to previously established levels.

- The **Rural** designation identifies areas suitable for low-density and low-intensity land uses such as residential estates of two acres or greater parcel size and other rural uses which are maintained in conjunction with agricultural and horticultural uses or in conjunction with the keeping of farm animals for recreational purposes.

  The Rural designation also identifies institutional uses such as boarding and non-boarding elementary and secondary schools. Additionally, the designation is utilized for recreational uses such as retreats, camps, recreational vehicle parks and campgrounds.

  The designation of areas for Rural land uses is intended to accommodate the need for low density rural residential *development,* which, in conjunction with the higher density development of the Urban designated land uses, will provide a full range of residential environments.

  The areas considered for inclusion in the Rural designation are existing clusters of rural development and areas deemed appropriate for future rural residential development.

- The **Agricultural** designation is applied to irrigated lands which are suitable for the cultivation of crops and the raising of livestock.

  Because of the inherent importance of agriculture as a land use in and of itself, agriculture is not subsumed under the Open Space land use designation, but has been assigned a separate land use designation.

- The **Open Space** designation encompasses land as defined under Section 65560 of the State Government Code as any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or State open-space plan as any of the following:
  - Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

- Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands not designated agricultural; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

- For purposes of the County General Plan, "open space" also includes the following:
  - Open space to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.
  - Open space to promote efficient municipal services and facilities by confining urban *development* to defined development areas.
- The **State or Federal Facility** land use designation is included on the General Land Use Map to recognize Federal or State facilities, excluding forest and park lands, over which the County has no or limited land use authority. Areas so designated include lands under Federal or State ownership on which governmental facilities are located.
- The **Urban Reserve overlay** designation is applied to all unincorporated land within a city's adopted Sphere of Influence. Although LAFCO has determined these areas to be appropriate for eventual annexation and urbanization, the Urban designation was not applied to all lands within the LAFCO sphere boundaries because it could result in urban development being permitted without annexation. Accordingly, unincorporated lands within spheres have been designated under this General Plan as Existing Community, Rural, Agricultural or Open Space. Under these designations, therefore, more intense development could not occur on affected lands until they are annexed.

The following goals and policies apply to land use designations:

3.2.1 Goals

1. **Urban:**

   (1) Recognize areas within the County planned for urban *development* which are currently incorporated or which are candidates for future incorporation.

   (2) Direct urban *development* to existing cities and unincorporated urban centers within their own Area of Interest, and maintain open space between urban areas.

   (3) Discourage outward expansion of urban *development* when suitable developable areas exist within cities and unincorporated urban centers.

2. **Existing Community:**

   Recognize and confine existing urban enclaves which are outside Urban designated areas, even though the enclaves may include uses, densities, and zoning designations normally limited to Urban designated areas.

3. **Rural**:

   Recognize and plan for low density rural residential and recreational *development,* while preserving resources, avoiding hazards, and providing adequate public facilities and services.

4. **Agricultural**:

   (1) Identify the *farmlands* within the County that are critical to the maintenance of the local agricultural economy and which are important to the State and Nation for the production of food, fiber and ornamentals.

   (2) Preserve and protect agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber and ornamentals.

   (3) Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.

   (4) Establish *policies* and regulations which restrict agricultural land to farming and related uses rather than other *development* purposes.

   (5) Restrict the introduction of conflicting uses into farming areas.

5. **Open Space**:

   (1) Preserve for the benefit of all the County's residents the continued wise use of the County's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources.

   (2) Acknowledge the presence of certain hazardous features which urban *development* should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public.

   (3) Retain open space lands in a relatively undeveloped state so as to preserve the maximum number of future land use options.

   (4) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.

   (5) Define urban areas by providing contrasting but complementary areas which should be left generally undeveloped.

   (6) Recognize the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization."

6. **State and Federal Facilities**:

   (1) Recognize lands devoted to governmental uses which are under the authority of the State or Federal government and over which the County has no effective land use jurisdiction.

   (2) Encourage proper planning of governmental lands so that uses on these lands are compatible with existing and planned uses on adjacent privately owned lands

7. **Urban Reserve**:

   Acknowledge the interests of cities and recognize the LAFCO adopted Spheres of Influence as areas in which urbanization will occur under the cities' authority.

3.2.2 Policies

1. **Urban**:

   (1) The Urban land use designation shall include existing incorporated lands within a city's Sphere of Influence, and unincorporated urban centers within their own Area of Interest. No more than one city or unincorporated urban center shall be designated within an adopted Area of Interest.

   (2) The appropriate zoning, maximum residential building intensity, and the minimum parcel size consistent with the Urban land use designation for unincorporated land shall be that allowed by the adopted Area Plan.

(3) If a suitable amount of developable land exists within a city's Sphere of Influence then outward expansion of urban development into the city's Area of Interest shall be discouraged. If a suitable amount of developable land exists within an unincorporated urban center then expansion of the unincorporated urban center shall be prohibited.

2. **Existing Community**:

(1) The Existing Community designation shall include existing unincorporated urban enclaves located outside cities and unincorporated urban centers.

(2) The Existing Community designation may recognize the range of zones present in the area, be they residential, commercial, or industrial, as well as the range of existing population densities and building intensities. The appropriate zoning, population densities, and building intensities shall be that allowed by the adopted Area Plan or, where no Area Plan exists, by the applicable Existing Community Map contained in this Chapter commencing with Figure 3.7. Because of the degree of specificity on the Existing Community Maps, any zone change within an Existing Community covered by a Zoning Map shall require a General Plan amendment.

3. **Rural**:

(1) Lands designated Rural are those located outside areas designated Urban or Existing Community which are deemed suitable and appropriate for low-density rural residential or recreational development.

(2) The smallest minimum parcel size consistent with the Rural land use designation is two acres. Subzones may require larger minimum parcel sizes.

4. **Agricultural**:

(1) The Agricultural land use designation shall primarily include lands which are designated as *Prime Farmlands*, *Farmlands of Statewide Importance* or *Unique Farmlands* in the State's Important Farmland Inventory (IFI), although land may not be designated Agricultural if small areas of agricultural land are isolated from larger blocks of farming land (in such cases, the agricultural land is assigned to the Open Space or Rural designation of the surrounding properties).

(2) The smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. Subzones may require larger minimum parcel sizes.

(3) Agricultural land shall be utilized for the production of food, fiber and ornamentals; animal husbandry and care; uses accessory to agriculture and limited temporary or public uses which are consistent with agricultural or agriculturally related uses.

5. **Open Space**:

(1) Open Space should include areas of land or water which are set aside for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and important watershed lands.

(2) Open Space should also include areas set aside for managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands not otherwise designated Agricultural; areas required for the recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open Space should also include areas within which recreational activities can be pursued, including, but not limited to, areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open Space should also include areas of land or water which are set aside for public health and safety, thereby safeguarding humans and property from certain natural hazards, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

(5) Open Space should also include undeveloped natural areas surrounding urban-designated areas which have been set aside to define the boundaries of the urban-designated areas, to prevent urban sprawl, and to promote efficient municipal services and facilities by confining the areas of urban development.

(6) The smallest minimum parcel size consistent with the Open Space land use category is 10 acres. Subzones may require larger minimum parcel sizes.

(7) The minimum parcel size for Open Space properties contiguous with the Agricultural land use designation shall be 20 acres.

6. **State or Federal Facility**:

(1) The State or Federal Facility land use designation shall include State or Federally owned lands on which a significant governmental use is located, and which are under the control of the State or Federal government and, therefore, effectively beyond the land use jurisdiction of the County.

(2) Whenever land designated State or Federal Facility is transferred to a private party or another public entity, the land shall be redesignated to an appropriate land use designation through the General Plan Amendment process.

7. **Urban Reserve**:

(1) The Urban Reserve overlay designation shall be applied to all unincorporated land within a city's adopted Sphere of Influence.

(2) Applicants for General Plan amendments, zone changes, and *discretionary development* should apply to the appropriate city and shall be discouraged from applying to the County.

3.3 Population and Housing

State law requires the preparation of a Housing Element as part of a jurisdiction's General Plan [Government Code Section 65302(c)]. The Element shall identify and analyze existing and projected housing needs, and shall include a statement of *goals* (including quantified objectives), *policies,* and scheduled *programs* for the preservation, improvement and development of housing. A Housing Element also shall identify adequate sites for housing and provide for the existing and projected needs of all economic segments of the County (Government Code Section 65583).

In addition to State law, the guidelines adopted by the Department of Housing and Community Development should be considered in the preparation of the Housing Element (Government Code Section 65585). Periodic review of the Element should evaluate:

- The appropriateness of its goals, policies and programs in contributing to the attainment of the State housing goals;
- Its effectiveness in attaining the County's housing goals and objectives; and
- The progress of its implementation (Section 65588).

Figure 3.2a
Zoning Compatibility Matrix
Non-Coastal Zones

GENERAL PLAN MAP LAND USE DESIGNATIONS	ZONE																	Legend
	OS (10 AC Min.)	AE (40 AC Min.)	RA (1 AC Min.)	RE (10,000 S.F. Min.)	RO (20,000 S.F. Min.)	R1 (6,000 S.F. Min.)	R2 (3,500 S.F. /DU)	RPD	RHD (20 DU/AC)	SP	TP	CO	C1	CPD	M1	M2	M3	
OPEN SPACE (10 AC MIN.)																		= Not compatible with plan
AGRICULTURE (40 AC MIN.)																		= Compatible with plan
RURAL (2 AC MIN.)			2 AC	2 AC	2 AC													Compatible only with zone suffix equal to or more restrictive than that shown
EXISTING COMMUNITY																		X = X thousand square feet min. lot size
URBAN																		X AC = X acre minimum lot size
STATE/FEDERAL FACILITY	40 AC																	X U = X units per acre maximum,
OPEN SPACE INTERPRETATIONS – Open Space Interpretations granted prior to May 17, 1983, and permitting parcel sizes less than those specified in this Plan, shall be considered consistent with this Plan. Furthermore, zoning which is consistent with the purpose and intent of these Open Space Interpretations shall be considered consistent with this Plan.																		

Figure 3.2b
Zoning Compatibility Matrix
Coastal Zones

General Plan Map Land Use Designations	Zones											Legend
	COS (10 Ac min.)	CA (40 Ac min.)	CR (1 Ac min.)	CRE (20,000 S.F. min.)	CR-1 (7,000 S.F. min.)	CR-2 (3,500 S.F. min.)	RB (3,000 S.F. min.)	RBH*	CR-PD	CC	CM	
Open Space (10 Ac Min.)	◯	◯										Not compatible with plan
Agriculture (40 Ac Min.)		◯										Compatible with plan
Rural (2 Ac Min.)			2 Ac	2 Ac								(X U) Compatible only with zone suffix equal to or more restrictive than that shown in circle
Existing Community			◯	◯	◯	◯	◯	◯	◯	◯	◯	
Urban			◯	◯	◯	◯	◯	◯	◯	◯	◯	(X Ac) X acre minimum lot size
State/Federal Facility	40 Ac											(X) X thousand square feet min. lot size
*1,750 S.F. per single-family dwelling/3,000 S.F. per two-family dwelling.												(X U) X units per acre maximum

Figure 3.31
2000- 2035 Employment Forecast

Figure 3.1a
General Land Use Map (North Half)
(separate document)

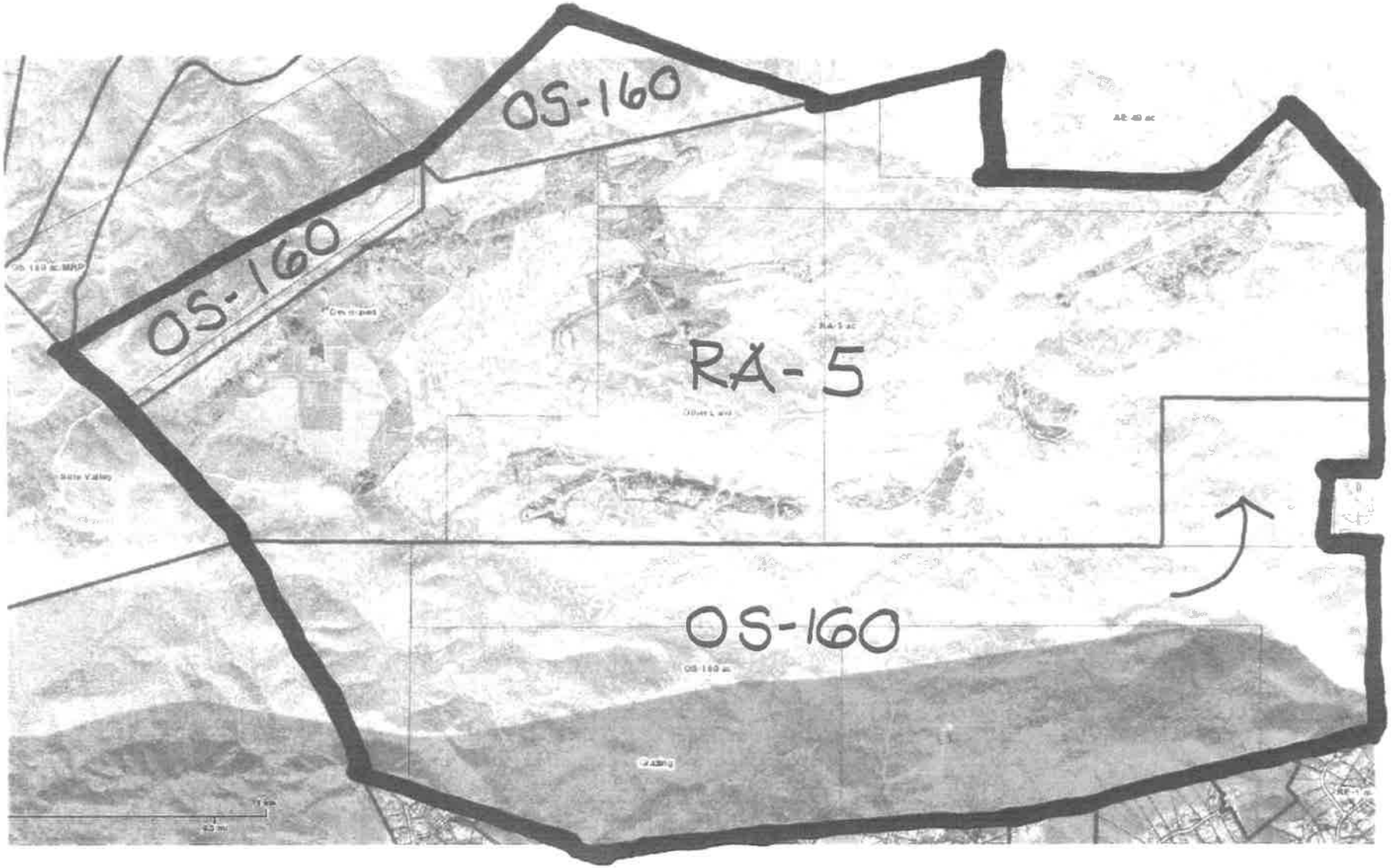
[Click above to go to map]

Figure 3.1b
General Land Use Map (South Half)
(separate document)

[Click above to go to map]

Santa Susana Zoning

11/20/2014



VENTURA COUNTY NON-COASTAL ZONING ORDINANCE

DIVISION 8, CHAPTER 1
OF THE
VENTURA COUNTY ORDINANCE CODE

LAST AMENDED 3-18-14

VENTURA COUNTY PLANNING DIVISION

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ARTICLE 4:
PURPOSES OF ZONES

Sec. 8104-0 - Purpose

The categories and purposes of land use zones in Ventura County are established as follows:

Sec. 8104-1 - Open Space/Agricultural Zones

Sec. 8104-1.1 - Open Space (OS) Zone

The purpose of this zone is to provide for any of the following on parcels or areas of land or water that are essentially unimproved:

a. The preservation of natural resources including, but not limited to: areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and, coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

b. The managed production of resources, including but not limited to: forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and, areas containing major mineral deposits, including those in short supply.

c. Outdoor recreation, including but not limited to: areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and, areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

d. The public health and safety, including, but not limited to areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

e. The formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.

f. The promotion of efficient municipal services and facilities by confining urban development to defined development areas.

g. Support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.

h. The protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

(AM. ORD. 4411 – 3/2/10)

Sec. 8104-1.2 - Agricultural Exclusive (AE) Zone

The purpose of this zone is to preserve and protect commercial agricultural lands as a limited and irreplaceable resource, to preserve and maintain agriculture as a major industry in Ventura County and to protect these areas from the encroachment of nonrelated uses which, by their nature, would have detrimental effects upon the agriculture industry.

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-2 - Rural Residential Zones

Sec. 8104-2.1 - Rural Agricultural (RA) Zone

The purpose of this zone is to provide for and maintain a rural setting where a wide range of agricultural uses are permitted while surrounding residential land uses are protected.

Sec. 8104-2.2 - Rural Exclusive (RE) Zone

The purpose of this zone is to provide for and maintain rural residential areas in conjunction with horticultural activities, and to provide for a limited range of service and institutional uses which are compatible with and complementary to rural residential communities.

Sec. 8104-2.3 - Single-Family Estate (RO) Zone

The purpose of this zone is to provide areas exclusively for single-family residential estates where a rural atmosphere is maintained by the allowing of a range of horticultural activities as well as animals for recreational purposes.

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-3 - Urban Residential Zones

Sec. 8104-3.1 - Single-Family Residential (R1) Zone

The purpose of this zone is to provide for and maintain areas which are appropriate for single-family dwellings on individual lots.

Sec. 8104-3.2 - Two-Family Residential (R2) Zone

The purpose of this zone is to provide for and maintain residential areas allowing two single-family dwelling units or a two-family dwelling unit on lots which meet the minimum area requirements of this zone.

Sec. 8104-3.3 - Residential Planned Development (RPD) Zone

The purpose of this zone is to provide areas for communities which will be developed utilizing modern land planning and unified design techniques; this zone provides a flexible regulatory procedure in order to encourage:

a. Coordinated neighborhood design and compatibility with existing or potential development of surrounding areas;

b. An efficient use of land particularly through the clustering of dwelling units and the preservation of the natural features of sites;

c. Variety and innovation in site design, density and housing unit options, including garden apartments, townhouses and single-family dwellings;

d. Lower housing costs through the reduction of street and utility networks; and

e. A more varied, attractive and energy-efficient living environment as well as greater opportunities for recreation than would be possible under other zone classifications.

Sec. 8104-3.4 – Residential High Density (RHD) Zone

The purpose of this zone is to make available parcels that are appropriate for multi-family residential projects at densities considered by state law to be affordable by design to lower-income households. (ADD. ORD. 4436 – 6/28/11)

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-4 - Commercial Zones

Sec. 8104-4.1 - Commercial Office (CO) Zone

The purpose of this zone is to provide suitable locations for offices and services of a professional, clerical or administrative nature.

Sec. 8104-4.2 - Neighborhood Commercial (C1) Zone

The purpose of this zone is to provide areas for retail convenience shopping and personal services to meet the daily needs of neighborhood residents.

Sec. 8104-4.3 - Commercial Planned Development (CPD) Zone

The purpose of this zone is to encourage the development of coordinated, innovative and efficient commercial sites and to provide areas for a wide range of commercial retail and business uses, including stores, shops and offices supplying commodities or performing services for the surrounding community.

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-5 - Industrial Zones

Sec. 8104-5.1 - Industrial Park (M1) Zone

The purpose of this zone is to provide suitable areas for the exclusive development of light industrial, service, technical research and related business office uses in an industrial park context, in conjunction with stringent standards of building design, noise, landscaping and performance.

Sec. 8104-5.2 - Limited Industrial (M2) Zone

The purpose of this zone is to provide suitable areas for the development of a broad range of industrial and quasi-industrial activities of a light manufacturing, processing or fabrication nature, while providing appropriate safeguards for adjoining industrial sites, nearby nonindustrial properties and the surrounding community.

Sec. 8104-5.3 - General Industrial (M3) Zone

The purpose of this zone is to provide suitable areas for the development of a broad range of general manufacturing, processing and fabrication activities. The M3 Zone is intended for uses which do not require highly restrictive performance standards on the part of adjoining uses. The M3 Zone, as the heaviest manufacturing zone, is intended to provide for uses involving the kinds of processes, activities and elements which are specifically excluded from the M1 Zone.

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-6 - Special Purpose Zones

Sec. 8104-6.1 - Specific Plan (SP) Zone

The purposes of the SP Zone are:

a. To provide for the unified planning and diversified urban communities which reflect modern site design standards and concepts and incorporate a variety of uses, while providing for the separation of incompatible uses;

b. To encourage the provision of a broad range of community facilities, including recreational and commercial; and

c. To provide for flexibility in the design and development of such communities.

(AM. ORD. 4018 - 12/15/92)

Sec. 8104-6.2 - Timberland Preserve (TP) Zone

The purposes of the TP zone are:

a. To maintain the optimum amount of the limited supply of timberland so as to ensure its current and continued availability for the growing and harvesting of timber, and compatible uses;

b. To discourage premature or unnecessary conversion of timberland to urban and other uses;

c. To discourage the expansion of urban services into timberland; and

d. To encourage investment in timberlands based on reasonable expectation of harvest.

(AM. ORD. 4377 – 1/29/08)

Sec. 8104-7 - Overlay Zones

The purpose of overlay zones is to superimpose particular zones on existing base zones, thus establishing additional regulations and either reducing or extending permitted uses.

Sec. 8104-7.1 - Scenic Resource Protection (SRP) Overlay Zone

The purposes of this zone are:

a. To preserve and protect the visual quality within the viewshed of selected County lakes, along the County's adopted scenic highways, and at other locations as determined by an Area Plan.

b. To minimize development that conflicts with the value of scenic resources.

c. To provide notice to landowners and the general public of the location and value of scenic resources which are of significance in the County.

(AM. ORD. 4390 - 9/09/08)

Sec. 8104-7.2 - Mineral Resources Protection (MRP) Overlay Zone

The purposes of this zone are:

a. To safeguard future access to an important resource.

b. To facilitate a long term supply of mineral resources within the County.

c. To minimize land use conflicts.

d. To provide notice to landowners and the general public of the presence of the resource.

e. The purpose is not to obligate the County to approve use permits for the development of the resources subject to the MRP Overlay Zone.

(ADD. ORD. 3723 - 3/12/85; AM. ORD. 3900 - 6/20/89)

Sec. 8104-7.3 - Deleted

(DEL. ORD. 4390 - 9/09/08)

Sec. 8104-7.4 - Community Business District (CBD) Overlay Zone

The purposes of this zone are to:

a. Identity community business districts with unique historic character which justify special permit requirements and standards so as to preserve or re-create the historic character of the district;

b. Preserve the historic character of buildings and structures within the district; and

c. Allow deviations of certain development standards, parking standards, landscape standards, and sign standards of the zoning ordinance to permit the alteration or construction of buildings and structures, consistent with the design guidelines adopted under the applicable Area Plan or Specific Plan, so as to preserve or re-create the historic character of the district.

(ADD. ORD. 4144 - 7/22/97)

a. Encourage *mixed-use development* projects as a means to revitalize a community business district, encourage pedestrian circulation, maximize site development potential, create an active environment while promoting a traditional village-style mix of retail, restaurants, offices, civic uses, multi-family housing and other compatible land uses. (ADD. ORD. 4393 - 12/16/08)

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ARTICLE 5:
USES AND STRUCTURES BY ZONE

(AM ORD. 4317 – 03-15-05)

Sec. 8105-0 - Purpose

Section 8105-4 and 8105-5 list in matrix form the land uses and structures that are allowed in each zone, under this Chapter, and indicate the type of land use entitlement required to establish a particular use in that zone. Land uses permitted herein may also require additional licensing/permitting from other Ventura County, State of California, or United States government agencies. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4291 - 7/29/03)

Sec. 8105-1 - Use of Matrices

Sec. 8105-1.1 - Key To Matrices

Except as otherwise provided in Section 8111-1.2.1.6, (specific to the RPD zone), the following symbols indicate the type of permit required for uses allowed in each zone: (AM. ORD. 4377 – 1/29/08)

	= Not Allowed
E	= Allowed, but exempt from obtaining a Zoning Clearance.
△	= Zoning Clearance, or other ministerially approved permit unless specifically exempted.
▲	= Zoning Clearance or other ministerially approved permit with signed waivers.
○	= Planning Director-approved Planned Development Permit
⊗	= Planning Commission-approved Planned Development Permit
●	= Board of Supervisors-approved Planned Development Permit
□	= Planning Director-approved Conditional Use Permit
⊠	= Planning Commission-approved Conditional Use Permit
■	= Board of Supervisors-approved Conditional Use Permit

(ADD. ORD. 3749 - 10/29/85; AM. ORD. 4092 - 6/27/95)

Sec. 8105-1.2

Italicized notes appearing in this Zoning Ordinance are editorial in nature and are not a part of the Ordinance or its regulatory scheme. (AM. ORD. 4187 - 5/25/99 - grammar)

Sec. 8105-1.3
No use or structure is allowed unless expressly identified in Section 8105-4 and 8105-5 (Matrices) or determined to be equivalent in accordance with Section 8105-2 or Section 8101-4.10. Furthermore, prior to the commencement of any use listed in the matrices, the entitlement identified as required for the use shall be obtained. Each use is subject to all of the provisions of this chapter even if it is exempt from a Zoning Clearance. (AM. ORD. 4291 - 7/29/03)

Sec. 8105-1.4
For the purposes of this Article, changing type style indicates where language is indented. Any use listed in matrix form which is indented shall be construed as a subheading of the heading under which it is indented.

Sec. 8105-1.5
Any use requested as an accessory use which is listed in the matrix at Sections 8105-4 and 8105-5 as a principal use shall be processed in accordance with the indicated requirements of the principal use. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3749 - 10/29/85; AM. ORD. - 5/5/87; AM. ORD. 4092 - 6/27/95)

Sec. 8105-1.6
The abbreviations used in Sections 8105-4 and 8105-5 are to be interpreted as follows:

agric. - agriculture

CCR - California Code of Regulation

GFA - gross floor area

H.&S.C. - California Health and Safety Code

prelim. - preliminary

sq.ft. - square feet

W.&I.C. - California Welfare and Institutions Code

(ADD. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4187 - 5/25/99)

Sec. 8105-1.7
The following list of specifically prohibited uses is provided for informational purposes, and is not intended to be comprehensive:

a. Nuclear power plants;

b. Public polo events

c. Racetracks for horses or motorized vehicles, except motocross/OHV parks otherwise permitted:

d. Stadiums;

e. The parking of motor vehicles on vacant land containing no principal use;

f. Retail sales from wheeled vehicles, except as permitted pursuant to Sections 8105-4 and 8105-5.

g. Retail sales in the OS, AE, RA, RE, RO, R1, R2, RPD, and TP zones, except as expressly permitted by this Ordinance or as an accessory use as expressly allowed in the discretionary permit conditions. (ADD. ORD. 3810 - 5/5/87 AM. ORD. 4092 - 6/27/95; AM. ORD. 4118 - 7/2/96: AM. ORD. 4216 - 10/24/00; AM. ORD. 4377 – 1/29/08)

Sec. 8105-2 - Equivalent Uses Not Listed

Where a proposed land use is not identified in this Article, the Planning Director shall review the proposed use when requested to do so by letter and, based upon the characteristics of the use, determine which of the uses listed in this Article, if any, is equivalent to that proposed. (AM. ORD. 4092 - 6/27/95)

Sec. 8105-2.1

Upon a written determination by the Planning Director that a proposed unlisted use is equivalent in its nature and intensity to a listed use, the proposed use shall be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what standards affect its establishment.

Sec. 8105-2.2

Determinations that specific unlisted uses are equivalent to listed uses shall be recorded by the Planning Department, and shall be considered for incorporation into the Zoning Ordinance in the next scheduled ordinance amendment.

(ADD. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87)

Sec. 8105-3 - Allowed Uses Exempt From Planning Entitlements

Exempted uses do not require a Planning Division issued entitlement if the uses meet and are maintained in accordance with the requirements of Section 8111-1.1.1b and all other provisions of this Chapter. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

Sec. 8105-4 - Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
AGRICULTURE AND AGRICULTURAL OPERATIONS										
Animal Husbandry										
Domestic Animals Per Art. 7	E	E	E	E	E					
more animals than are permitted by Art. 7 *(3, 19)*	☐	☐	☐	☐	☐					
Reduced Animal Setbacks Per Table 2 (Sec. 8107-2.5.1) *(16)*	▲	▲	▲	▲	▲					
Apiculture * *(2, 15)*	△	△	△							△
Aquaculture/Aquiculture *(15)*	☐	☐	☐	☐						
Insectaries for Pest Control *(3, 6, 15)*	See Principal Structures Related to Agriculture									
Vermiculture * *(16)*										
up to 5,000 sq. ft. of open beds	△	△	△	△	△					△
over 5,000 sq. ft. of open beds	☐	☐	☐	☐						
Wild Animals, Not Inherently Dangerous * *(16, 19)*	☐	☐	☐	☒	☒					
Inherently Dangerous Animals *(16)*	☒	☒								
Agricultural Contractors' Service And Storage Yards And Buildings *(15, 19)*	☐	☐	☐							
Crop and Orchard Production *(6,12,42)*	E	E	E	E	E	E	E	E	E	E
Packing, Storage Or Preliminary Processing Involving No Structures	E	E	E	E						E
Timber Growing And Harvesting, And Compatible Uses										
protected trees	Pursuant to Articles 7 and 9									
other trees	E	E	E	E						E
Principal Structures Related To Agriculture (Greenhouses, Hot Houses, Structures for Prelim. Packing, Storage and Preservation of Produce & Similar Structures; Cumulative GFA Per Lot) Except Agricultural Shade/Mist Structures * *(See Sec. 8106-6.4 & 8107-20) (15)*										
Up to 1,000 sq. ft. *(6)*	△	△	△	△						△
Over 1,000 sq. ft. to 20,000 sq. ft. *(15)*	△	△	☐							
Over 20,000 sq. ft. to 100,000 sq. ft.	☐	☐	☒							
Over 100,000 sq. ft. *(6)*	☒	☒								
Wineries (Including Processing, Bottling & Storage)*(2, 15)*										
Up to 2,000 sq. ft. structure	△	△	△							
Over 2,000 to 20,000 sq. ft. structure	☐	☐	☒							
Over 20,000 sq. ft. structure	☒	☒	☒							
With public tours or tasting rooms	☒	☒	☒							

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
ACCESSORY USES AND STRUCTURES * *(15)*										
Accessory Structures Related to Agriculture and Animal Husbandry/Keeping * (e.g. Barns, Storage Buildings, Sheds; Cumulative GFA Per Lot) *(15, 25)*										
up to 2,000 sq. ft. *(15, 25)*	△	△	△	△	△	△		△		△
over 2,000 sq. ft. to 5,000 sq. ft. *(15, 25)*	△	△	□	□	□	□		□		□
over 5,000 sq. ft. to 20,000 sq. ft. *(25)*	△	△	☒							
over 20,000 sq. ft. to 100,000 sq. ft. *(25)*	□	□								
over 100,000 sq. ft. *(25)*	☒	☒								
exceeding height limits *(25)*	□	□	□							
Offices * *(7, 19, 25)*	See Article 7									
Accessory bathrooms * *(See Sec. 8107-1.9) (25)*	△	△	△							
Agricultural Sales Facilities * *(16, 19)*										
Small facilities: up to 500 sq. ft., meeting standards established by Section 8107-6.2 *(25)*	△	△	△							△
Meeting standards of Sections 8107-6.2.1, 8107-6.2.2, and 8107-6.3.4 *(25)*	□	□	□							
Large facilities: over 500 to 2,000 sq. ft. *(25)*	□	□	☒							
Large facilities: over 2,000 to 5,000 sq. ft. *(25)*	☒	☒	☒							
Wholesale nurseries for propagation: with sales facilities up to 500 sq. ft. *(26, 34)*	△	△	△							
with sales facilities of over 500 to 2,000 sq. ft. *(26, 34)*	□	□	☒							
with sales facilities of over 2,000 to 5,000 sq. ft. *(26, 34)*	☒	☒	☒							
with sales of non-agricultural items or materials not propagated on site. *(26, 34)*	☒	☒	☒							
Agricultural Shade/Mist Structures * *(16, 25, 34)*										
up to 1,000 sq. ft. *(25)*	△	△	△	△						△
over 1,000 sq. ft. to 20,000 sq. ft. *(25)*	△	△	△	□						
over 20,000 sq. ft. or 15% of lot area (whichever is greater) *(25)*	△	△	□							
over 15% of lot area *(25)*	□	□								
Animal Shade Structures *(26)*										
Up to 500 sq. ft. *(26)*	△	△	△	△						△
Over 500 sq. ft. to 1,000 sq. ft. *(26)*	△	△	△	□						□

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
Over 1,000 sq. ft. to 10,000 sq. ft. *(26)*	△	△	△	□						
Over 10,000 sq. ft. or up to 7.5% of lot area (whichever is greater) *(26)*	△	△	□	□						
Over 20,000 sq. ft. or up to 15% of lot area (whichever is greater). Permeable Structures only *(26)*	□	□	□							
Over 15% of lot area, Permeable Structures only *(26)*	□	□								
Over 7.5% of lot area, Impermeable Structures only *(26)*	□	□	□	□						□
Farmworker Dwelling Units * *(15, 25)*	△	△	△							△
not meeting standards established by Sec. 8107-26.1 & 2 *(25, 32)*	□	□	□							□
Animal Caretaker Dwelling Units *(26)*	△	△	△							△
not meeting standards established by Sec. 8107-26.1 & 2 *(26, 32)*	□	□	□							□
Open Storage Per Art. 7 *(6, 15, 25)*	E	E	E	E						E
Fuel Storage *(6, 25)*	△	△	△							△
Underground Fuel Storage Permitted By Other County Agencies *(25)*	E	E	E	E						E
Agricultural Promotional Uses *(26)*	☒	☒	☒							☒
ANIMAL KEEPING, NON-HUSBANDRY * *(6, 2, 15)*										
Domestic Animals Per Art. 7	E	E	E	E	E	□		E		E
More Animals Than Are Permitted *By Art. 7 (15)*	□	□	□	□	□	□		□		□
Horses And Other Equines Per Art. 7 *(15)*	E	E	E	E	E	□		E		E
More Animals Than Are Permitted *By Art. 7 (15)*	□	□	□	□	□	□		□		□
Kennels/Catteries *(2, 15, 19)*	□	□	□	□						
Equestrian Centers *(16, 19)*	□		□	□	☒					
Wild Animals, Not Inherently Dangerous *(15, 19)*	□	□	□	□	□	□		□		□
Inherently Dangerous Animals *(16)*	☒	☒	☒							
Reduced Animal Setbacks Per Table 2 (Sec.8107-2.5.1) (16)	▲	▲	▲	▲	▲	▲		▲		▲
Accessory Structures		See Accessory Structures Related to Agriculture and Animal Husbandry/Keeping; Animal Shade Structures; Animal Caretaker Dwelling Units *(32)*								
AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE	☒	☒	☒	☒						
ASSEMBLY USES *(39)*			☒	☒	☒	☒	☒	☒		
BOARDING HOUSES AND BED-AND-BREAKFAST INNS* *(2) (35)*	☒	☒	☒	☒		☒	☒	☒		

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
On Designated Cultural Heritage Sites *(29, 34)*	☒	☒	☒	☒		☒	☒	☒		
CARE FACILITIES *(SEE ALSO H. & S. C. AND W. & I. C.)*										
Day Care Centers *(19)*			☐	☐		☒	☒	☒		
Family Day Care Home *(28, 42)*	E	E	E	E	E	E	E	E	E	
Intermediate: Care Of 7 Or More Persons *(2, 42)*			☒	☒		☒	☒	☒	☒	
Residential: Care Of 6 Or Fewer Persons *(42)*	△	△	△	△	△	△	△	⊗	⊗	
Care Of 7 Or More Persons *(7)*			☒	☒		☒	☒	☒		
CEMETERIES * *(SEE SEC. 8107-27) (15)*	☒		☒	☒	☒	☒	☒	☒		
Accessory Crematories, Columbaria And Mausoleums	☒		☒	☒						
COMMUNICATIONS FACILITIES * *(SEE SEC. 8107-28) (15)*	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
CULTURAL/HISTORIC USES *(29)*										
Cultural Heritage Sites with Ordinance Deviations *(29)*		Pursuant to Article 7 and principal or accessory uses								
Historic Repository *(29) (40)*			☒	☒						
Interpretive Centers *(29)*	☒	☒	☒	☒	☒	☒		☒		
DWELLINGS *(43)*										
Dwellings, Single-Family * (Mobilehomes - See Sec. 8107-1.3)	△	△	△	△	△	△	△	⊗		△
Mobilehome, Continuing Nonconforming *(15)*	☐	☐	☐	☐	☐	☐	☐	☐		☐
Dwellings, Two-Family, Or Two Single-Family Dwellings							△	⊗		
Dwellings, Multi-Family *(42)(43)(44)*								⊗	△	
Farmworker Housing Complex *(31)*	⊗	⊗								
Dwellings, Accessory Structures To										
Buildings For Human Habitation: *(3, 19)*										
temporary buildings during construction * (19, 42)	△	△	△	△	△	△	△	△	△	△
second dwelling unit * *(2, 11, 15, 33)*	△	△	△	△	△	△	△	△		△
Buildings Not For Human Habitation Or Agricultural And Animal Husbandry/Keeping Purposes (E.G. Garage, Storage Building): *(3, 15, 19, 27)*										
up to 2,000 sq. ft. GFA per lot *(3, 6, 19,42)*	△	△	△	△	△	△	△	△	△	△

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
over 2,000 sq. ft. GFA per lot *(3, 6, 15, 19, 42)*	○	○	○	○	○	⊗	⊗	⊗	△	
exceeding height limits of main structure *(18, 42)*	□	□	□	□	□	□	□	⊗	⊗	□
accessory bathrooms * *(18, 42)*	△	△	△	△	△	△	△	△	△	△
Other Structures *(18)*										
freestanding light fixtures *per sec. 8106-8.6*	○	○	○	○	○	○	○	○		○
nonmotorized wheeled conveyances, within standards * *(19,42)*	△	△	△	△	△	△	△	△	△	△
which exceed standards *(42)*	□	□	□	□	□	□	□	□	□	□
Antennas, Ground-Mounted (Noncommercial) *										
up to 40 ft. in height *(16, 19, 42)*	△	△	△	△	△	△	△	△	△	△
above 40 ft. in height *(6, 42)*	□	□	□	□	□	□	□	□	□	□
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Play Structures, Outdoor Furniture, Mailboxes And Similar Structures Exempt From Setback Requirements Of Art. 6 *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Swimming, wading and ornamental pools less that 18" depth capacity *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Soil and geologic testing for water wells, foundations, septic systems and similar construction *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Dwellings, Accessory Uses To										
Keeping Of Animals; Nonhusbandry *										
equines and other domestic animals per art. 7 *(19)*	E	E	E	E	E	□		E		E
more animals than are permitted *by art. 7 (3, 15)*	□	□	□	□	□	□		□		□
pet animals in accordance with standards of art. 7 *(42)*	E	E	E	E	E	E	E	E	E	E
more animals than are permitted *by art. 7 (3, 15)*	□	□	□	□	□	□	□	□		□
wild animals as pets *(sec. 8107-2.3.1) (15)*	△	△	△	△	△	△		△		△
more wild animals than are permitted *(16)*	□	□	□	□	□	□		□		□
inherently dangerous animals		Not permitted								
youth projects * *(16)*	▲	▲	▲	▲	▲	▲		▲		▲
Commercial uses, minor, for project residents *(See sec. 8109-1.2.5) (4)*								⊗		
Garage/yard sales *(See definition)(42)*	E	E	E	E	E	E	E	E	E	E
Home occupations * *(3, 42)*	△	△	△	△	△	△	△	△	△	△
Open storage, per art. 7 * *(19, 42) (See Section 8107-15)*	E	E	E	E	E	E	E	E	E	E

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
EDUCATION AND TRAINING										
Colleges and universities *(40)*			☒							
Schools, elementary and secondary (boarding and nonboarding)			☒	☒	☒	☒	☒	☒		
ENERGY PRODUCTION FROM RENEWABLE SOURCES *(3)*	☒	☒	☒							
FENCES AND WALLS 6' HIGH OR LESS PER ART. 6 *(42)*	E	E	E	E	E	E	E	E	E	E
Over 6' High Per Art. 6 *(18, 42)*	△	△	△	△	△	△	△	△	△	△
FESTIVALS, ANIMAL SHOWS, AND SIMILAR EVENTS, TEMPORARY OUTDOOR *(35)*	☐	☐	☐							
FILMING ACTIVITIES * *(2, 15)*										
Permanent		Not permitted								
Temporary	☐	☐	☐	☐						
Occasional For Current News Programs/ Noncommercial Personal Use *(42)*	E	E	E	E	E	E	E	E	E	E
Occasional Per Sec. 8107-11.1 *(42)*	△	△	△	△	△	△	△	△	△	△
Occasional With Waivers *Per Sec. 8107-11.2*	▲	▲	▲	▲	▲	▲				
Occasional, Not Meeting Standards *(18)*	☐	☐	☐	☐	☐	☐				
FIREWOOD OPERATIONS *(3, 12)*	☐	☐	☐							
GOVERNMENT BUILDINGS *(2) (40)*		☒	☒	☒	☒	☒	☒	☒		
Correctional Institutions	☒		☒							
Fire Stations	☐	☐	☐	☒	☒	☒	☒	☒		
Law Enforcement Facilities	☐		☐	☒	☒	☒	☒	☒		
Public Works Projects Not Otherwise Listed As Uses In This Section Constructed By The County Or Its Contractors	E	E	E	E	E	E	E	E		E
GRADING (*A PWA GRADING PERMIT MAY STILL APPLY*) *(7, 42)*	E	E	E	E	E	E	E	E	E	E
Within An Overlay Zone		Pursuant to Article 9								
HOSPITALS								☒		
LIBRARIES			☒	☒	☒	☒	☒	☒		

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
MAINTENANCE, ROUTINE/MINOR REPAIRS TO BUILDINGS, NO STRUCTURAL ALTERATIONS *(42)*	E	E	E	E	E	E	E	E	E	E
MINERAL RESOURCE DEVELOPMENT * *(1)*	☒	☒	☒							
Mining And Accessory Uses * *(1)*	☒	☒	☒							
Less Than 1 Year In Duration (1, 22)	☐	☐	☐	☐						
Public Works Maintenance *(1,22,36)*	E	E	E	E	E	E	E	E		E
Reclamation Plan (22)		Following a public hearing where a reclamation plan is required per SMARA in conjunction with a land use entitlement								
Mining, Agricultural Site * *(22)*	▲	▲								
Oil And Gas Exploration And Production *(7)*	☐	☐	☐	☐						
Drilling, Temporary Geologic (Testing Only)	☐	☐	☐	☐						☐
MOBILE FOOD FACILITIES * *(18, 42)*	E	E	E	E	E	E	E	E	E	E
MOBILEHOME PARKS *			☒	☒	☒	☒	☒	☒		
MODEL HOMES/LOT SALES: 2 YEARS * *(42)*			△	△	△	△	△	△	△	
More Than 2 Years *(42)*			☐	☐	☐	☐	☐	☐	☐	
ORGANICS PROCESSING OPERATIONS (COMPOSTING, VERMICOMPOSTING, CHIPPING AND GRINDING) *(24)*										
Biosolids Composting Operations * *(24)*	☒									
Commercial Organics Processing Operations * *(24)*										
Small-Scale (up to 200 cubic yards on-site) * *(24)*	△	☐	△	☐						△
Medium-Scale (over 200 cubic yards to 1,000 cubic yards on-site) * *(24)*	☐	☐	☐							☐
Large-Scale (over 1,000 cubic yards on-site) * *(24)*	☒	☒	☒							☒
PIPELINES/TRANSMISSION LINES, ABOVEGROUND * *(42)*	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
PUBLIC SERVICE/UTILITY FACILITIES *(27)*										

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
Small Utility Structures *(17)*	E	E	E	E	E	E	E	E		E
Excluding Office And Service Yards *(28)*	☒	☒	☒	☒	☒	☒	☒	☒		
Public Service/Utility Offices And Service Yards, When Located On Lots Containing The Majority Of The Agency's Facilities *(28)*	☒			☒						
RECREATIONAL, SPORT AND ATHLETIC FACILITIES *(40)*										
Botanic Gardens and Arboreta* *(35)*	☒									
Camps * (8) (35)	☒		☒	☒						
Campgrounds * *(8)*	☒		☒	☒						
Fields, athletic, without buildings, With Or Without Night Lighting *(7, 19, 27)*				☐	☐	☐	☐	☐		
Without Night Lighting *(18, 27)*	☐									
Geothermal Spas with or without accessory commercial eating facilities *(7)*	☒									
Golf Courses And/Or Driving Ranges, Except Miniature Golf *(15)*	☒		☒	☒	☒	☒	☒	☒		
Motocross/Off-Highway Vehicle Parks *(17)*	☒									
Parks *(6)*	△	☐	△	△	△	△	△	⊗		
With Buildings	☐	☒	☐	☐	☐	☐	☐	☒		
Periodic Outdoor Sporting Events *(7)*	☐									
Recreational Vehicle Parks *	☒		☒	☒						
Recreation Projects, County-Initiated *(5)*	■	■	■	■	■	■	■	■		
Caretaker Recreational Vehicle, Accessory * *(5)*	△	△	△	△	△	△	△	△		
Retreats, Without Sleeping Facilities * *(8)*	☐		☐	☐						
With Sleeping Facilities *(8)*	☒		☐	☐						
Shooting Ranges And Outdoor Gun Clubs *(4)*	■									
SIGNS PER ARTICLE 10 *UNLESS EXEMPT FROM ZONING CLEARANCE PER SEC. 8110-3 (7, 42)*	△	△	△	△	△	△	△	△	△	△
SOIL AMENDMENT OPERATIONS *(16)*	☐	☐	☐							
STORAGE OF BUILDING MATERIALS, TEMPORARY * (3, 42)	△	△	△	△	△	△	△	△	△	△
TREES AND NATIVE VEGETATION: REMOVAL, RELOCATION OR PRUNING *(7, 12)*										

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
Protected Trees, And Vegetation In Overlay Zone*		Pursuant to Articles 7 and 9								
Other Trees And Vegetation *(42)*	E	E	E	E	E	E	E	E	E	E
USES AND STRUCTURES, ACCESSORY (OTHER THAN TO AGRICULTURE, ANIMALS OR DWELLINGS) *(42)*	△	△	△	△	△	△	△	△	△	□
Freestanding Light Fixtures *Per Sec. 8106-8.6*	○	○	○	○	○	○	○	○		○
Organics Processing Operations **(24)*										
On-Site Composting Operations (not related to normal farming activities) **(24)*										
Small-scale (up to 10 cubic yards on-site) * *(24, 42)*	E	E	E	E	E	E	E	E	E	E
Medium-scale (over 10 cubic yards to 200 cubic yards on-site) * *(24)*	△	△	△	△	△			□		△
Large-scale (over 200 cubic yards on-site) * *(24)*	□	□	□	□				□		
Waste Handling, Waste Disposal and Recycling Facilities *(24)*										
Household/CESQG Hazardous Waste Collection Facilities And Hazardous Waste Collection, Treatment and Storage Facilities * *(24)*	☒									
Recyclable Household/CESQG Hazardous Waste Collection Facilities * *(24)*	E									
Not meeting standards established by Section 8107-36.3.7 * *(24)*	□									
Soil And Geologic Testing For Water Wells Foundations, Septic Systems And Similar Construction *(19, 42)*	E	E	E	E	E	E	E	E	E	E
Stockpiling Of Construction Related Debris and/or Fill Material for Non-agricultural Operations *(28)*										
Less Than 1,000 Cu. Yds. *(28)*	△		△	△						
1,000 Cu. Yds Or More *(28)*	□		□	□						

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
Swimming, Wading, And Ornamental Pools Less Than 18" Depth Capacity *(19, 42)*	E	E	E	E	E	E	E	E	E	E
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Play Structures, Outdoor Furniture And Similar Structures Exempt From Setback Requirements Of Art. 6 *(18, 42)*	E	E	E	E	E	E	E	E	E	E
Open Storage Per Art. 7 * *(42)*	E	E	E	E	E	E	E	E	E	E
Parking/Storage of Large Vehicles *(38)*		Pursuant to Article 8 Sec. 8108-3.4								
To A Use Requiring A PD Permit Or CUP *(2)*		Pursuant to Article 11 Sec. 8111-6.1								
Dwelling, Caretaker										
VETERINARY HOSPITALS FOR LARGE ANIMALS *	☒	☒								
WASTE HANDLING, WASTE DISPOSAL AND RECYCLING FACILITIES *(24)*										
Disposal Facilities, Hazardous Waste * *(24)*	■									
Disposal Facilities, Oilfield Waste * *(24)*	☒									
Disposal Facilities, Solid Waste * *(24)*	■									
Recyclables Collection And Processing Facilities *(24)*	☒									
Recyclables Collection Centers * *(24)*	△		△	△	△	△	△	△		
Temporary Collection Activities *(24, 42)*	△	△	△	△	△	△	△	△	△	
Waste Collection And Processing Activities To Mitigate An Emergency *(24)*		Pursuant to Sec. 8107-36.3.12								
Waste Processing Facilities And Transfer Stations * *(24)*	☒									
WASTEWATER/SEWAGE TREATMENT FACILITIES										

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP
Individual Sewage Disposal Systems *(42)*	△	△	△	△	△	△	△	△	△	△
On-Site Wastewater Treatment Facilities *(19, 42)*	☒	☒	☒	☒	☒	☒	☒	☒	☒	
Community Wastewater Treatment Facilities *(19)*	■	■	■	■				■		
WATER PRODUCTION, STORAGE, TRANSMISSION, & DISTRIBUTION FACILITIES: ***(6)***										
4 Or Fewer Domestic Service Connections (Privately Operated)	△	△	△	△	△	△	△	△		△
5 Or More Domestic Service Connections (Privately Operated)	□	□	□	□	□	□	□	□		□
For Agricultural Purposes (Privately Operated)	△	△	△							
Well Drilling For Use Only On Lot Of Well Location *(42)*	E	E	E	E	E	E	E	E	E	E

**There are specific regulations for this use; see Article 7.*
Italicized numbers refer to amendment history at end of use matrices.
Legend: see Section 8105-1.1

RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Prillhart
Director

January 8, 2014

Mr. Mark Malinowski, Project Manager
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826

SUBJECT: Response to the Notice of Preparation (NOP) for the Draft Program Environmental Impact Report (EIR) for Contaminated Soil and Groundwater Remediation Projects at the Santa Susana Field Laboratory Site (SSFL), Ventura County, California

Dear Mr. Malinowski:

Thank you for the opportunity to review and comment on the scope and content of the environmental information to be included in the Program Environmental Impact Report (PEIR) that the DTSC will be preparing. Collectively, the Ventura County Planning Division (Planning Division) is submitting comments organized into four sections:

A. General Comments
B. Long-Range Planning Section/Land Use
C. Residential Permits Section/Biology
D. Planning Programs Section/Cultural Heritage Board

Please also note that the County of Ventura submitted lengthy comments to NASA on a wide variety of issues in September 2013 regarding their Draft Environmental Impact Statement (DEIS) for demolition and cleanup activities on NASA SSLF property. These comments are attached (Attachment 1) for your information and reference.

A. General Comments

As you are no doubt aware, some of the local regulatory requirements that do not apply to cleanup activities on federally-owned property (i.e. the NASA-owned areas at SSFL) will in fact apply to the portion of the SSFL where The Boeing Company (Boeing) is the responsible party. Because DTSC will be the lead regulatory agency for making determinations on the soil and groundwater investigations, as well as the selection of necessary project design and/or mitigation measures for the Boeing sites, the County's regulatory requirements will apply to the CEQA analysis DTSC will be conducting. Those requirements, which are further articulated in the County's response to the NOP, include an evaluation of the proposed action's consistency with the Ventura County eneral Plan and use of the County's Initial Study Assessment Guidelines (April 26, 2011) (ISAGs) when preparing the PEIR.

For each topic area within the PEIR (e.g., air quality, water, noise, etc.), the ISAGs include a reference to applicable General Plan goals and policies, criteria to establish thresholds of significance, methodology for assessing project and cumulative impacts, and mitigation measures. The County's ISAGs are available online:

http://www.ventura.org/rma/planning/pdf/ceqa/current_ISAG.pdf

The DTSC's NOP seems to include only a partial list of topics and potential impacts to be evaluated in the Draft PEIR. However, it appears that the slide show prepared for the December 2013 scoping meeting (available on the DTSC website) includes a more complete list of potential impacts. Specifically, the Planning Division believes that the list of topics shown on slide #30 (see Attachment 2) is the most complete, and we encourage DTSC to include all of these issues in its CEQA analysis. However, given the broad topic categories on this list, it is not clear whether the following important issues will be included in DTSC's impact evaluation:

- Scenic resources
- Archaeological and Paleontological resources
- Solid Waste Management
- Water Supply

In order to ensure that DTSC's Draft PEIR adequately considers all relevant issues, the Planning Division strongly recommends that DTSC consult the County of Ventura's Initial Study Assessment Guidelines (ISAG).

B. Long Range Planning Section

The comments below focus mainly on General Plan and land use issues for SSFL, and comments from the Long Range Planning Section are also addressed in the "general comments" section above.

Scope of Draft PEIR

As part of a comprehensive project description, the Planning Division recommends that DTSC describe and evaluate a reasonable range of future land use options and ownership scenarios (e.g., passive open space use, active recreational use, residential development, private ownership, National Park Service ownership, etc.). It is worth noting that one of the primary deficiencies of the NASA DEIS was its failure to identify reasonably anticipated future (i.e., post-cleanup) land use options. Without such an analysis, it is impossible to determine whether remedy selection would be protective of human health and the environment or whether it would be consistent with future land use. Developing a reasonable range of alternatives in the PEIR will allow DTSC to appropriately evaluate environmental impacts and determine the most appropriate mitigation measures for the SSFL property.

Land Use in the General Plan and Zoning Ordinance

The County's General Plan land use designation for the SSFL is "Open Space." General Plan Section 3.2, (Land Use Designations) defines the purpose of the Open Space and articulates several applicable goals and policies. In general, Open Space goals/policies support retaining open space lands in a relatively undeveloped state for recreation purposes and scenic value. As noted in the General Plan, open space is recognized for its intrinsic value and should not be regarded as "areas waiting for urbanization." The County has identified two zones that are consistent with an Open Space land use designation[1]:

- Open Space zone (OS), which has a 10-acre minimum parcel size; and
- Agricultural Exclusive zone (AE), which has a 40-acre minim parcel size.

DTSC must consider these General Plan and zoning land use designations as it proceeds with its CEQA analysis and any final remedy selection must be consistent with these land uses. To view the County's General Plan and the Non-Coastal Zoning Ordinance (NCZO), click on the following links:

http://www.ventura.org/rma/planning/pdf/plans/Goals-Policies-and-Programs-6-28-11.pdf

http://www.ventura.org/rma/planning/pdf/zoning/VCNCZO%2006-28-11%20revised..pdf

Articles 4 and 5 of the NCZO provide information about the purpose of zones and the allowable uses within zones.

As noted above, the County of Ventura prepared extensive comments for NASA's DEIS, which are attached herein as Attachment 2. These comments contain summaries of additional County standards and ordinances (e.g. the Tree Protection Ordinance) that are not summarized again here but should be reviewed by DTSC as they will be applicable to your project.

C. Residential Permit Section

As noted previously, because the excavation area for the proposed project (and presumably the fill excavation sites) are located within unincorporated Ventura County, the potential project impacts must be evaluated in accordance with the County's CEQA environmental thresholds of significance and the County's environmental policies and ordinances.

The EIR and appendices must contain all information required under Ventura County's Standards for Initial Study Biological Assessments (October 9, 2012) (ISBA), available online:

http://www.ventura.org/rma/planning/conservation/bio-report-procedure.html

[1] The existing zoning for the SSFL is Rural Agriculture [RA-5], which has a 5-acre minimum parcel size and is not consistent with the General Plan.

NASA Area II EIS Comments

For general guidance and examples of the County's concerns regarding biological analysis and mitigation measures, please refer to the attached letter from Chris Stephens to Mr. Allen Elliot, dated September 27, 2013. Pages 5 through 12 of the letter pertain to biological analysis and mitigation measures. Page 5 summarizes the Ventura County General Plan *Goals, Polices and Programs* (2011) Biological Resource Polices that must be thoroughly evaluated as part of the EIR. The NASA Area II EIS comments are not exhaustive, and the EIR will be more closely reviewed given that Ventura County has permitting authority over the project.

Biological Resource Analysis

The EIR should also explore in depth potential project specific and cumulative direct and indirect impacts to special status species, wetland habitat, and wildlife movement that would result from the proposed project or alternatives. The following is not exhaustive, but rather sets forth examples of some biological issues that should be addressed in the technical analysis.

a. Ventura County Locally Important Species. Impacts to Ventura County Locally Important Plant Species identified on-site should be evaluated and mapped (e.g., Allophyllum divaricatum and Crassula aquatic). For a complete listing of Locally Important Species, please see the following link:

   http://www.ventura.org/rma/planning/conservation/locally-important-species.html

b. Ventura County Locally Important and Sensitive Plant Communities. Impacts to locally important and sensitive communities (e.g., Venturan coastal sage scrub, and oak woodlands) should be acknowledged in the EIS. The EIS should evaluate direct and indirect (e.g., dust) impacts to locally important and sensitive communities. The ISAGs define a locally important community as one that is considered by qualified biologists to be a quality example characteristic of or unique to the County or region, with this determination being made on a case-by-case basis.

   The County has not developed a list of locally important communities, but has deemed oak woodlands to be a locally important community through the County's Oak Woodland Management Plan. The California Department of Fish and Wildlife (CDFW) natural communities list (2010) assigns rankings for communities of special concern.

c. Seed Bank and Soil. The EIR should clearly quantify the area and amount of the topsoil proposed for removal, as well as at replacement soil locations. The EIR should evaluate impacts from the removal of the entire seed bank, including special status species such as Braunten's Milkvetch—which has an extensive and long-lived seed bank. Excavation will permanently change the topography and hydrology of the landscape on which the existing native vegetation occurs, as well as remove the topsoil within which the seed bank for the vegetation and microorganisms necessary to the nutrient cycle reside.

Even with careful restoration, the diversity of habitats and species and biological function of site will be lower as a result of loss of topsoil.

d. Pathology. If the EIR will conclude that site clean-up will have beneficial effects on wildlife (like the EIS), the EIR should substantiate with studies how current levels are affecting wildlife mortality. The EIR should demonstrate why the proposed removal is in fact necessary, and how existing contamination would affect the proposed end use.

e. Vegetation Mapping. According to the Vegetation Classification Santa Monica Mountains (2006), the project is in the Nations Park Service ecological interest area, and has been mapped in the Santa Monica Mountains National Recreation Area Photo Interpretation Report (2007). Vegetation mapping and analysis should be completed to the association level using the Santa Monica Mountains Vegetation Classification.

f. Wildlife Movement. Because of the contiguous open space and park land and diversity and overall quality of the on-site native habitat, the EIR should thoroughly analyze impacts to this major link in regional habitat connectivity. The southeastern half of the project site is located entirely within a regional landscape linkage that connects habitats between the Sierra Madre Mountains and Santa Monica Mountains, mapped by the South Coast Missing Linkages Project (2006),. Additionally, local wildlife corridors should be mapped, described, and evaluated in the EIR. Impacts to the wildlife corridor from lighting, noise, fencing, and increased human activity during both project implementation intended end use should be considered in the EIR.

g. Coastal California Gnatcatcher. Suitable coastal California gnatcatcher (Polioptila californica californica) (CAGN) habitat is found on-site. In recent years, CAGN has been observed in coastal sage scrub habitats in Ventura County that were previously thought to be unoccupied, including Simi Valley (U.S. Fish and Wildlife Service Letter to Kim Prillhart, June 20, 2012). Extensive surveys during the spring breeding season should be completed to confirm non-detection of this species.

h. Protected Trees. The EIR should contain detailed information on tree removal consistent with the Tree Protection Ordinance (Ventura County Non Coastal Zoning Ordinance Section 8107-25 et seq.), Ventura County Oak Woodlands Management Plan, and Ventura County Tree Protection Guidelines. In general, the Ventura County Tree Protection Ordinance requires discretionary approval for the removal of five or more protected trees, or the removal of a "heritage" or "historical" tree (Ibid, § 8107-25.2, definition of "Heritage Tree" or "Historical Tree"). Therefore, the Ventura County Planning Division (for the tree permit) and Ventura County Public Works Agency (for the grading permit) would be responsible agencies that would rely upon this DEIR to issue the required discretionary grading and tree permits.

i. Water and Wetland Impacts. The proposed site excavation could potentially impact watercourses in two different watersheds downstream of the sites, including Bell Creek (a tributary of the Los Angeles River) and Meier Creek (a tributary of Calleguas Creek). The EIR should evaluate the direct loss of watercourses within the excavation area,

potential downstream effects, and potential erosion and sedimentation, in accordance with the Ventura County ISAGs.

Mitigation Measures

The NOP states the DTSC is soliciting input on possible mitigations measures. In the absence of data and analysis, it would be premature for the County to recommend specific biological resources mitigation measures. All proposed mitigation measures must be consistent with the guidance in the ISAGs (page 42) and ISBA standards. Mitigation Monitoring and/or Mitigation Reporting is always required for mitigation measures (Pub. Res. Code § 21081.6; CEQA Guidelines § 15097). All of the mitigation measures that are developed must contain a "Monitoring and Reporting" section. The mitigation must identify who, how, and when monitoring or reporting will occur, and performance measures that must be achieved. Recommended timing requirements for mitigation measures include prior to the County's issuance of a zoning clearance, issuance of a grading permit, issuance of a building permit, completion of final inspection, or issuance of a Certificate of Occupancy, depending on the objective of the mitigation measure.

D. Planning Programs Section/Cultural Heritage Board

The significant historic architectural resources in the project area comprise the three historic districts (Alfa, Bravo and Cocas Test Areas) and their contributing elements, as well as with the nine individual structures within those districts as being eligible for listing on the National Register of Historic Places (NRHP). The significant archaeological resources in the project area comprise the Burro Flats Painted Cave site listed on the NRHP and Sites CA-VEN-1800 and CA VEN-1803 eligible for listing on the NRHP. The decisions presented in the EIR should first consider project avoidance and minimization of effects, and should not be driven by the legal proceedings of the AOC. In addition, the EIR should develop mitigation measures in conformance with the Secretary of Interior's Standards for Rehabilitation that would result in the retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time.

Identified Cultural Resources

The historic architectural resources identified in the NASA Draft Environmental Impact Statement (DEIS) and Appendix C (Draft Cultural Resources Study for the Environmental Cleanup and Demolition at Santa Susana Field Laboratory, Areas I and II) consist of three historic districts (Alfa, Bravo and Cocas Test Areas) and their contributing elements, as well as with the individual eligibility of the nine structures within those districts. The archaeological resources identified in the NASA DEIS consist of the Burro Flats Painted Cave site of approximately 10 acres that is listed in the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR). Sites CA-VEN-1800 and CA VEN-1803 are being considered potentially eligible.

As part of the Draft EIR, the State Department of Toxic Substance Control should continue to work with the Department of Energy (DOE), Boeing, and NASA to integrate the

information described in the May 2008 Historic Resources Survey and Assessment of the NASA facility, the Traditional Cultural Property and Cultural Landscape Assessment ("TCP Assessment"), Chumash Sacred Site boundary identification and past cultural resource field work completed by professional cultural resources consultants on behalf of Boeing and DOE to identify cultural resources. In addition, a Cultural /Historic Resources Survey and Assessment, and Traditional Cultural Property and Cultural Landscape Assessment should be completed to identify cultural and historic resources on the Boeing and DOE properties similar to what NASA completed for Areas I and II as part of the NEPA process.

Ventura County General Plan Policies Related to Cultural Resources

The County's General Plan establishes goals and policies for paleontological and cultural resources of Ventura County (including archaeological, historical and Native American resources) for their scientific, educational and cultural value. The Ventura County General Plan Policies which apply to cultural resources are as follows:

- *1.8.2.1 - Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

In accordance with the above policy, the potential impacts to cultural resources should be disclosed to the general public and considered by the decision makers in their determination to implement the project.

The purpose of the EIR is to provide decision makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental damage and to identify alternatives to the project. The EIR should disclose the full magnitude of the property disturbance. Delineation of the contaminated areas should be completed prior to circulating an EIR document.

- *1.8.2.2 - Development shall be designed or re-designed to avoid potential impacts to significant paleontological and cultural resources. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data.*

Decisions presented in the EIR should first consider project avoidance and minimization of effects, rather than mitigation. Mitigation measures should be developed to save all three historic districts and the nine structures within those districts, Burro Flats Painted Cave site, and Sites CA-VEN-1800 and CA VEN-1803 and their contributing elements.

- *1.8.2.5. During environmental review of discretionary development, the reviewing agency shall be responsible for identifying sites having potential archaeological, architectural or historical significance and this information shall be provided to the County Cultural Heritage Board for evaluation.*

- *1.8.2.3 - Mitigation of significant impacts on cultural or paleontological resources shall follow the Guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission, and shall be performed in consultation with professionals in their respective areas of expertise.*

- *1.8.2.4. Confidentiality regarding locations of archaeological sites throughout the County shall be maintained in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.*

In accordance with the policies above, staff recommends that the EIR incorporate feasible mitigation measures identified by the Santa Ynez Band of Chumash Indians and the Native American Heritage Commission through consultation with the State for the protection of the nationally significant Burro Flats Painted cave archaeological site, the not-yet defined Chumash Sacred Site as well as Sites CA-VEN-1800 and CA VEN-1803. As part of the consultation, the location of the archaeological sites shall remain confidential. Additionally, feasible mitigation measures identified by the National Park Service, Advisory Council on Historic Preservation, and the State Office of Historic Preservation staff for the protection of the NRHP eligible historic architectural resources during the Section 106 consultation should be incorporated into the EIR.

To conclude, we would like to once again thank you for the opportunity to review and comment on the scope and content of the environmental information to be included in the Program Environmental Impact Report (PEIR) that will be prepared by the DTSC.

Sincerely,

Rosemary Rowan for

Kim L. Prillhart, Director
County of Ventura Planning Division

Attachments:
Attachment 1 – NASA EIR Comments
Attachment 2 – DTSC NOP List

RMA Reference Number 13-027

county of ventura

RESOURCE MANAGEMENT AGENCY
CHRISTOPHER STEPHENS
Agency Director

Code Compliance Division
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Building and Safety Division
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September 27, 2013

Mr. Allen Elliot, SSFL Program Director
NASA MSFC AS01
Building 4494
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E-mail: msfc-ssfl-eis@mail.nasa.gov

Subject: **County of Ventura, California Comments on Draft Environmental Impact Statement (DEIS) for demolition and cleanup activities at Santa Susana Field Laboratory (SSFL) in Ventura County, California pursuant to the National Environmental Policy Act (NEPA), as amended (42 U.S.C. §4321 et seq.) and the National Historic Preservation Act (NHPA), as amended (16 U.S.C. §470 et seq.)**

Dear Mr. Elliot:

Thank you for the opportunity to review and comment on the subject document. As a potential regulating governmental agency over portions or aspects of the above-referenced project and in response to the Notice of Availability of the DEIS (78 FR 47007, 08/02/2013), the County of Ventura (COUNTY) provides the National Aeronautics and Space Administration (NASA), the NEPA lead agency for this project, the following comments pursuant to NEPA, as amended (42 U.S.C. § 4321 et seq.), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and NASA's NEPA policy and procedures (14 CFR Part 1216, subpart 1216.3).

The COUNTY, by and through its constituent agencies, departments and divisions, reviewed the July 2013, DEIS for the SSFL project with a focus on whether the DEIS sufficiently identifies and analyzes the proposed SSFL demolition and cleanup project's environmental impacts and adequately discusses measures in which such impacts may be mitigated or avoided. To that end, the COUNTY provides the following comments based upon its duties and responsibilities under California state law and local ordinance:

A. Public Works Agency, Integrated Waste Management Division (IWMD)

Pursuant to IWMD review and responsibilities, the following contract specifications pertain to all uncontaminated materials generated during demolition and environmental cleanup activities on NASA's portion of the SSFL site.

The IWMD requests that NASA comply with Ventura County Ordinances 4445 (solid waste handling, disposal, waste reduction, and waste diversion) and 4421 (the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to comply with the waste diversion mandates of Assembly Bill 939 (AB 939) which mandates all cities and counties in California to divert recyclable solid waste from landfills. Both of these Ordinances may be viewed in their entirety on the IWMD's website at: www.wasteless.org/landfills/ordinances.

The following contract specifications shall apply to uncontaminated materials generated by this project:

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris
Contract specifications for this project must include a requirement that C&D debris generated by the demolition of uncontaminated buildings on the project site must be diverted from the landfill. Recyclable C&D materials include, but are not limited to, concrete, asphalt, rebar, wood, and metal. These materials must be recycled at an appropriate, permitted C&D debris recycling facility. A complete list of permitted C&D debris recycling facilities in Ventura County is available at: www.wasteless.org/construction&demolitionrecyclingresources. All uncontaminated, non-recyclable, materials shall be disposed of at a permitted disposal facility.

Uncontaminated Soil - Recycling & Reuse
Contract specifications for this project must include a requirement that uncontaminated soil that is not reused on-site during the C&D phase(s) of this project shall be transported to an authorized and/or permitted organics facility for recycling or reuse. Illegal disposal and landfilling of uncontaminated soil is prohibited. A complete list of facilities in Ventura County that recycle uncontaminated soil is available at: www.wasteless.org/construction&demolitionrecyclingresources.

Uncontaminated Green Materials - Recycling & Reuse
The Contract Specifications for this project must include a requirement that uncontaminated wood waste and vegetation removed during the C&D phase(s) of this project must be diverted from the landfill. This can be accomplished by on-site chipping and land-application at the project

site if deemed appropriate by NASA, or by transporting uncontaminated materials to an authorized and/or permitted greenwaste facility in Ventura County. A complete list of authorized greenwaste facilities is located at: www.wasteless.org/greenwasterecyclingfacilities.

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris – Required Reports per Ventura County Ordinance 4421:

1. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed *Form B – Recycling Plan* to the IWMD for approval. The *Form B – Recycling Plan* must specify how uncontaminated, recyclable C&D debris generated by the project (e.g., concrete, asphalt, wood, soil, greenwaste, metal) will be diverted from the landfill. A copy of IWMD's *Form B – Recycling Plan* is available at: www.wasteless.org/recycling/greenbuildingCD.

2. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed *Form C – Recycling Report* to the IWMD at the conclusion of the project. The *Form C – Recycling Report* must have original recycling facility receipts and/or other documentation attached to verify that recycling, NASA approved on-site reuse, or salvage of uncontaminated C&D debris occurred. A copy of IWMD's *Form C – Recycling Report* is available at: www.wasteless.org/recycling/greenbuildingCD.

B. Public Works Agency, Transportation Department, Traffic, Advance Planning & Permits Division

This project will generate approximately 39,000 trucks over an estimated 650 working days. The project will require 34 construction workers during the 150-day demolition phase and 15 construction workers during the 500-day excavation and disposal phase.

The COUNTY Transportation Department reviewed several documents in regard to the SSFL cleanup. Our previous comments are still valid and applicable.

Transportation Department staff offers the following comments on the DEIS for the demolition and cleanup activities in the NASA-administered areas of the SSFL:

1. According to the Truck Route Map (Figure 4.5-1), the project proposes to access the SSFL via Santa Susana Pass Road and Box Canyon Road in the County of Ventura and Woolsey Canyon Road in the County of Los Angeles.

   a. The project proponent should be aware that Santa Susana Pass Road from Katherine Road to Rocky Peak Road has a "No Trucks Over 2 Axles" Truck Restriction adopted by the Ventura County Board of Supervisors (BOS) February 4, 1986.

   b. The project proponent should be aware that Box Canyon Road from Santa Susana Pass Road to the Ventura County and Los Angeles County jurisdictional boundary has a "No Trucks 3 Or More Axles" Truck Restriction adopted by the BOS September 28, 1999.

   c. If the project proponent plans to use trucks that are not restricted on Santa Susana Pass Road or Box Canyon Road, then please include these roads in the survey of road conditions as described in Traffic MM-2 on Pages 6-3 of the DEIS.

      i. Proper precautions should be taken to protect all County road facilities in the unincorporated areas.

      ii. If, in the opinion of the Transportation Department, any portion of a County road is damaged by the project's operations, then it should be repaired in accordance with current standard construction details and/or in a manner acceptable to the Transportation Department.

      iii. An Encroachment Permit is required for any work in the public right-of-way.

   d. The Transportation Department will not allow/permit hauling on Black Canyon Road north of the project site.

2. Please notify the Transportation Department when the Final EIS is ready for review and comment.

   Transportation Department review is limited to the impacts this project may have on the County's Regional Road Network.

C. Resource Management Agency, Planning Division, Biological Resources

The following comments address biological resource issues associated with the Proposed Action at the NASA SSFL, including issues related to COUNTY regulations and the adequacy of impact analysis and proposed mitigation measures within the DEIS. Specific areas of comment address the following:

- General Plan goals and policies related to biological resources
- Ventura County Locally Important Species and Communities
- DEIS Data and Analysis Corrections
- Impacts and Mitigation Measures

Ventura County General Plan

Currently, the DEIS does not discuss the Proposed Action with respect to General Plan goals and policies for biological resources. Several policies in the County's General Plan support the protection of biological resources as follows:

(1) Wildlife migration corridors, threatened or rare species and their habitats, and locally important species/communities are considered to be significant biological resources that should be preserved and protected from incompatible land uses and development (GP Goal 1.5.1);

(2) Biological resource policies include wetland protection policies, such as a 100 foot setback from significant wetland habitat for all discretionary development (GP Policy 1.5.2.4) and a requirement to evaluate biological impacts for discretionary projects within 300 feet of waters and wetlands (GP Policy 1.5.2.3); and

(3) The Santa Susana Field Laboratory is identified as an area with a "Significant Biological Resource" under Figure 1.5.6.2, *Biological Resource Map*, in the General Plan Resource Appendix.

The DEIS should be revised to discuss consistency with General Plan policies in identifying impact intensity, type, context, and duration. Mitigations measures should be developed that preserve and protect SSFL biological resources and incorporate recommended wetland protections.

Ventura County Locally Important Species and Communities

Section 4.4 and Appendix E Section 2.1 of the DEIS do not include an analysis of Ventura County Locally Important Species, and the DEIS does not consider them as "special status species" under Section 4.4.1.1. Impacts to Ventura County Locally Important Plant Species identified on-site should be evaluated and mapped (e.g., *Allophyllum divaricatum* and *Crassula aquatic*). For a complete listing of Locally Important Species please see the following link:

http://www.ventura.org/rma/planning/conservation/locally-important-species.html

Impacts to Locally Important Communities (e.g., Venturan coastal sage scrub, oak woodlands) should be acknowledged in the EIS. The EIS should evaluate direct and indirect (i.e., dust) impacts to Locally Important Communities.

DEIS Data and Analysis Corrections

The list below, which is not exhaustive, identifies examples of biology-related issues that need to be further addressed in the EIS analysis.

(1) Evaluation of Presence of the Californian Gnat Catcher (CAGN). The CAGN should be discussed in Section 4.4.1.1, and included where applicable throughout the DEIS biological resource analysis. On-site Venturan coastal sage scrub, and potentially other unidentified vegetation alliances absent the DEIS analysis, provides suitable habitat for the CAGN, a ***federally listed threatened bird***. In recent years, CAGN has been observed in coastal sage scrub habitats in Ventura County that were previously thought to be unoccupied. Many of these occurrences, which are near Thousand Oaks, Camarillo, Simi Valley, and Moorpark, are located in habitats similar to the habitats on the project site. Given that suitable habitat is present, and no protocol presence/absence surveys were conducted, potential exists for the presence of the CAGN. Page E-38 Appendix E describes the potential for CAGN to occur on the project site as "unlikely" based the transition from coastal sage to chaparral and the dense brush cover. This evidence is inadequate for three reasons: (a) the project site was never surveyed for CAGN, (b) suitable habitat exists on the project site, and (c) several new occurrences of CAGN were identified in the region.

Given this additional evidence, protocol surveys should be conducted within suitable habitat in the areas proposed to be directly and indirectly impacted by the project to adequately evaluate the potential impacts of the project on CAGN.

(2) Wildlife Corridor. A significant biological resource located adjacent to the project site is the regional wildlife movement corridor that connects habitats within the Simi Hills and Santa Susana Mountains with the western portion of the Santa Monica Mountains. This corridor, identified and mapped by the South Coast Missing Linkages Project (2006), is located immediately east of the project site. However, modeled corridor strands should not be taken as absolute limits to the areas of the landscape on SSL that wildlife use for movement, as nearby areas outside the modeled corridor that appears on the South Coast Missing Linkages map are likely still utilized.

The project site contains significant habitat connections and movement patterns for both transitory and permanent wildlife populations. Direct impacts from habitat destruction, fencing, and equipment can create physical barriers to wildlife movement while indirect impacts from lighting, noise, and increased human activity may also discourage wildlife use of the area. Impacts to the regional wildlife corridor, including temporary and long-term introduction of barriers to gene flow, should be considered in the DEIS. In addition, the "no impact" assessment in Section 4.4.1.3 should be corrected to reflect the appropriate intensity level, duration, and context. Additionally, Figure 4.4-2 and 3.4-2 should be updated to include on-site specific connectivity features and impediments to connectivity that would result from the project.

(3) Vegetation Mapping. Vegetation types and sensitive communities, which are briefly categorized in the Appendices and in Section 3.4, should be mapped to the alliance level consistent with the *California Manual of Vegetation* (2010) and included in the DEIS. The entire site, and any off-site affected area (e.g., groundwater basins), should be mapped to the alliance level, which would provide an analysis of sensitive communities and habitats and a baseline for mitigation opportunities such as habitat restoration.

The EIS analysis, including Figure 4.4-1, only describes two types of communities affected by the project. Detail on the amount of vegetation

removed and the area of *all* native vegetation alliances impacted needs to be depicted and discussed in the DEIS and its appendices.

(4) Native Soil Import Impacts. Page 4-35 states that 39 acres of native soil would be removed as a result of the Proposed Action, and that an unknown amount of replacement native soil would be imported. The DEIS should specify the off-site locations where imported, replacement native soil would be obtained and provide an analysis of potential impacts associated with the removal of soil from that property.

If the excavation areas for the native soil fill for the proposed project are located within unincorporated Ventura County, it is presumed that a discretionary permit from Ventura County would be required, and the potential project impacts associated with the removal of native soil within the unincorporated County must therefore be evaluated in the DEIR in accordance with the County's thresholds of significance. Those thresholds are found in the *Ventura County Initial Study Assessment Guidelines*. In addition, the removal of off-site soil must be evaluated for consistency with the County's policies and ordinances.

(5) Oak Woodlands Preservation. Absent from Appendix B, *Applicable Laws and Regulations*, is the California State Oak Woodland Conservation Act (OWCA) (PRC §21083.4, Fish and Game Code §1361). The Ventura County Oak Woodland Management Plan was developed in response to the OWCA, and oak woodlands have also been acknowledged as a Locally Important Community by the Ventura County Board of Supervisors. Oak Woodlands were also identified as a sensitive community by the California Department of Fish and Wildlife, and impacts to the two oak woodlands on-site should be included in the DEIS. Figure 4.4-1 only shows two communities in the context of soil clean-up boundaries. The two types of oak woodlands need to be shown on Figure 4.4-1, and the acreage removed should be quantified in the DEIS. The DEIS does not provide adequate detail to know whether direct or indirect impacts would occur to the approximately 22.5 acres of oak woodland habitat identified onsite (Appendix D, Table 10), and the document should be revised to address impacts to oak woodlands and individual oak trees.

(6) Groundwater Clean-up: The DEIS currently lacks adequate information on potential impacts to biological resources that could result from proposed changes to hydrology. Section 4.4.1.4 (Page 4-41) of the DEIS should include more information regarding impacts both on-site and offsite related

to the following changes associated with the Proposed Action: (a) changes to the water table, (b) additional topsoil removal "outside the soil clean-up footprints", (c) on-site wetlands, and (d) effects on regional hydrology. In addition, the DEIS should include impacts to off-site and on-site native vegetation alliances that would be affected by changes to hydrology as shown in Appendix Figure 2.2-4.

(7) Protocol Surveys. Additional protocol surveys are needed for special status species found within the SSFL study area. In the absence of protocol surveys for special status species (e.g., riverside shrimp, red-legged frog), actual impacts to wildlife from the implementation of the project are speculative.

Impacts and Mitigation Measures

The proposed project would result in extensive impacts to biological habitat for numerous special status species. The biological resource mitigation measures within the DEIS are generally inadequate under the requirements of NEPA (40 CFR 1508.20) for addressing significant regional impacts that affect sensitive biological resources. As defined under the Council of Environmental Quality (CEQ) guidance document (dated January 4, 2011), NEPA mitigation measures should include documentation, monitoring, and performance standards. The proposed BMPs and mitigation measures lack details on requirements, timing, monitoring, and success criteria. The list below, which is not exhaustive, contains examples of suggested revisions to the EIS impact assessment and mitigation measures:

(1) Removal of Native Vegetation Communities: The removal of approximately 39 acres of native vegetation (impact biology 2a) would be regionally significant and long-term, especially in the absence of adequate mitigation as discussed below. The proposed best management practices mitigation measures would have minimal effect on mitigating this impact. Additionally, removing developed areas (biology impact 2b) would not have a beneficial effect on native vegetation, unless these previously developed areas were carefully restored. Planting an "approved seed mix" without performance criteria or an effective invasive plant removal program would not constitute restoration.

(2) Pre-Construction Wildlife Surveys, Monitoring, and Relocation. Appendix E, Section 4.2, recommends preconstruction surveys and the development of a breeding season schedule for listed and protected

species. However, the Draft EIS Section 4.4.2 only recommends avoidance if protected species are discovered by workers (BMP-4), and it includes a vague reference to red-legged frog monitoring (MM-5). Pre-construction protocol surveys and relocation should be required for all special status wildlife, including Locally Important Species that may be expected to occur, and as recommended in Appendix E, Section 4.2. Additionally, surveys should include species that are present in the vicinity, but are not identified in the DEIS as having the potential to occur (e.g., ring-tailed cat).

Typically, a biological monitor, with any appropriate permits needed, should survey the construction area prior to construction and relocate special-status wildlife outside the construction area. In addition, the construction area should be fenced to prevent the return of wildlife to the construction area. The biological monitor should also be present during project implementation.

(3) Pre-construction Santa Susana Tarplant Surveys and Monitoring. The proposed mitigation (MM-2) and BMPs (BMP-4) are inadequate to address what should be considered a significant regional impact to the State-listed rare Santa Susana Tarplant (Impact Biology 1a and 1g). Avoidance and worker awareness (MM-2) is *not a recognized mitigation measure*. Likewise, BMP-4 is not considered an acceptable strategy for the management of this plant. The mitigation measures should be revised to include preconstruction surveys, biologist monitoring during project implementation, and relocation of impacted species.

(4) On-site Habitat Restoration and Monitoring Plan. The proposed removal of seven (7) acres of the sensitive Ventura Sage scrub, of 0.05 acres southern willow scrub, and of unspecified impacted oak woodlands should be mitigated through on-site restoration. In addition, the on-site restoration should be implemented through mitigation that requires a Habitat Restoration and Monitoring Plan with timing and success criteria. The DEIS should include mitigation measures that require restoration at different ratios for each habitat type, as developed in consultation with the California Department of Fish and Wildlife.

The proposed BMP to reseed with a "approved mix" (BMP-1) is not adequate, and permanent restoration should be conducted with a compatible plant pallet that is derived from reference sites specific to each impacted alliance. In order to maintain the genetic integrity of the local

flora, Native plants and seed stock used during the revegetation process should be locally collected or propagated from locally collected seed or cuttings (from the Simi Valley area or same watershed). An attempt should be made to restore some of the diversity of the existing native plant community by specifically including some of the less common native species currently found on the project site. For temporary revegetation, the DEIS should provide specific information that identifies seed mix, seed application, seeding methods, timing of monitoring, and reporting and performance criteria.

(5) On-site Habitat Preservation. The loss of habitat for locally important wildlife species should be mitigated through the preservation of existing, intact plant communities and through the restoration and preservation of disturbed plant communities at an appropriate ratio in the project vicinity.

(6) Off-site Mitigation Measures. The DEIS should include mitigation measures that require preservation of off-site biological habitats that offset the destruction of native habitat and underlying soils.

(7) Nesting Bird Mitigation. The mitigation that would protect nesting birds (Biology MM-4) is incomplete. Proposed mitigation measures should include nesting and breeding considerations for any special status birds identified onsite, including the Least Bell's Vireo and the Loggerhead Shrike.

(8) Dust. Indirect impacts to biological resources from dust would vary greatly depending on the amount of excavation required. The DEIS should consider impacts and mitigation measures from dust based on the excavation to 20 feet.

(9) Wetlands. The DEIS must disclose all mitigation measures and related impacts in the current document. Currently, the DEIS (Page 4-39) states that the project could affect two (2) acres of wetlands, and it identifies this loss as moderate, regional, and long-term. The DEIS further states that "NASA would work with the USACE during the permitting process to mitigate the disturbance to waters of the U.S". Impact 6a and b of the DEIS should therefore be updated to reflect that the loss of 2 acres of wetlands is significant, regional, and long-term *unless clearly defined mitigation measures would explicitly reduce impacts*. Additionally, groundwater impacts (Biology impact 2k) to wetlands would not be "no impact" if changes in groundwater were to affect surface water availability.

(10) Deferred Mitigation. Impacts Biology 1b, 1f, 1i,1l, 1o, 1r, , 6a, and 6b were considered (or should be considered, in the case Impacts Biology 6a and 6b) to be "regionally significant". However, the DEIS does not identify appropriate mitigation measures but instead defers the development of mitigation measures to future USFWS review. It is critical that mitigation measures be defined within the DEIS in order to disclose to the public whether (or not) the project under review does (or does not) have potentially significant regional impacts following the application of mitigation measures. Accepted standards for environmental review include the development of mitigation measures within the DEIS, and prior to project approval and implementation. The impact analysis is not clear and clearly defined mitigation is needed within the DEIS.

D. Resource Management Agency, Planning Division, Long Range Planning

The Ventura County Planning Division (Planning Division) Long Range Planning Section evaluated the NASA DEIS for the Proposed Demolition and Environmental Cleanup Activities at the SSFL for consistency with the Ventura County General Plan and the Non-Coastal Zoning Ordinance. This consistency evaluation provides an opportunity for the Planning Division to identify key issues of concern related to land use, and to notify NASA of local regulatory requirements that would be applicable for a non-federally owned property.

This section identifies General Plan land use issues related to the County's Open Space land use designation as well as ordinance-level land use regulations. Additional General Plan issues related to biology and cultural resource issues are identified in separate topic areas.

General Plan Land Use

The County's General Plan land use designation for the entire NASA property is "Open Space". General Plan Section 3.2, Land Use Designations, defines the purpose of the Open Space land use designation, and that definition includes the following:

- Preserve natural resources, (plants, animals, water courses, etc.);
- Manage the production of resources (forest lands, rangeland, agricultural land, etc.);
- Preserve outdoor recreation opportunities including those areas of "outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes"; and

- Preserve areas necessary for public health and safety including those areas, "which require special management or regulation because of hazardous or special conditions..."

The County's General Plan also includes goals and policies for the Open Space land use designation. The Planning Division review identified relevant goals/policies as follows:

(1) Retain open space lands in a relatively undeveloped state so as to preserve the maximum number of future land use options.

(2) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.

(3) Recognize the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization."

While the proposed cleanup at the SSFL is intended to remove the groundwater and soil contamination present at the site, and thus return the site to its "background" condition, the proposed cleanup will occur in a manner that is not consistent with the Open Space goals of the County's General Plan. For example, the project includes significant clearing of native vegetation and soil, which is not consistent with the County's goals of preserving natural resources, using such lands for recreational purposes, or retaining the scenic value of the land. In addition, while the proposed cleanup levels may bring the contaminant levels down to "background," the site would not be returned to "its natural state prior to the introduction of contaminants" (NASA Audit Report No. IG-13-007, pg. 6; NASA SSFL Fact Sheet) given NASA's plan to remove such large amounts of soil and vegetation.

Furthermore, the Planning Division questions the elimination of future "land use" as a consideration for cleanup. Table 2.5-1 of the DEIS states the following:

> *"The proposed demolition and environmental cleanup activities would not result in a change in land use on the NASA-administered property; implementation of the Proposed Action or action alternatives would not require a change in zoning and no easements or land encroachments would be necessary. No land use acquisition or transfers would be required. Existing and proposed land uses do not conflict with federal or state land use plans, policies, regulations, or laws. Therefore, no impacts to land use would occur."*

Although the Proposed Action may not require a change to the County's land use classifications, and would presumably not affect minor land use issues such as easements, that does not lead to a conclusion that "existing and proposed land uses do not conflict with...state land use plans, policies,

regulation, or laws. The State of California requires that local jurisdictions prepare a General Plan, and (as noted previously) the Proposed Action is not consistent with the purpose or goals associated with the property's Open Space land use classification.

In addition, the Planning Division is concerned that remediation alternatives were not developed in a way that reasonably anticipates, or even discusses future land use. In fact, as part of NASA's response to comments, they state that, "(a) decision about future land use is not within NASA's purview, nor part of NASA's EIS" (Appendix K, Pg. K-7). Given the lack of analysis in the EIS, NASA's conclusion that land use can be eliminated as a cleanup consideration appears to be unfounded and premature. Without an examination of land use options (e.g. park use, recreation use, residential use, or other types of land use), it is impossible to state what effect the proposed demolition and cleanup activities will have on future land use of the property. Although not a federal Superfund site, the U.S. Environmental Protection Agency's guidance with respect to remedy selection at Superfund sites is instructive. An EPA 2010 Directive state:

> *"In carrying out Superfund response actions that protect human health and the environment, EPA typically considers the reasonably anticipated future land use of a site in the remedy selection process" (EPA OSWER Directive 9355.7-19).*

Without an analysis of "reasonably anticipated future land use", it is difficult to conclude that remediation decisions are, indeed, consistent with existing and/or future land uses.

Zoning

In addition to the General Plan, future land use for the SSFL site will be dependent upon zoning. The SSFL site, which includes properties owned by Boeing, is also subject to a 1947 Special Use Permit issued by Ventura County. It should be noted that the current zoning for the NASA property, which is Rural Agricultural, or RA-5 acre, is not consistent with the General Plan land use designation of Open Space, which has a 10-acre minimum lot size. Consistent zones would be as follows:

- Open Space (OS), which has a 10-acre minimum
- AE (Agricultural Exclusive), which has a 40-acre minimum

The Zoning Matrix (pg. 44 of the Non-Coastal Zoning Ordinance) shows minor differences in allowable uses between the current zone and the two consistent zones. However, the minimum lot size would change from 5 acres to either 10 or 40 acres, depending on the selected zone.

Tree Protection Ordinance

In addition to the County's General Plan, the County's Non-Coastal Zoning Ordinance (NCZO) guides land use actions. Notably, the NCZO includes a tree protection program (NCZO Sec. 8107-25). Tree protection regulations are a relevant local land use regulation that are not noted among the other applicable regulations listed in Appendix B of the DEIS. The County's tree protection regulations apply to the removal of protected trees in unincorporated areas of Ventura County. Within the NASA property, protected trees include all oak and sycamore tree species as well as any tree that is ninety inches (90") in circumference or larger, which are classified as heritage trees.

The NCZO requires a discretionary permit and offsets for the removal of more than four (4) oak trees. Based on the information provided in Appendix D of the DEIS, there are over 20 acres of oak woodland on the NASA property (Appendix D, Pg. D-17). Although this resource is mapped on Figure 3.4-1 (Vegetated Cover Types), these oak woodlands do not appear in Figure 4.4-1, which is the map showing the Biological Resources that will be impacted by NASA's proposed actions.

The Planning Division recommends that oak woodlands be added to Figure 4.4-1, as it appears that the remediation will remove a portion of the oak woodlands. Moreover, the Planning Division assumes that NASA's remediation plan will remove far more than four oak trees, and hence would have required a discretionary permit and commensurate offsets (such as in-lieu fees) as mitigation for the loss of this resource. In addition, Appendix B of the DEIS should be revised to include the Tree Protection Ordinance and appropriate mitigation should be included in the DEIS to account for the loss of oak woodlands that result from cleanup activities.

Noise Standards

After a review of County noise standards within the General Plan and Noise Ordinance, staff concluded that none of the standards apply to the Proposed Action as follows:

- *Noise Ordinance:* Appendix B of the DEIS refers to the County's Noise Ordinance as an applicable regulation (Pg. B-18), and the document states that it provides relevant night-time noise standards. However, the Noise Ordinance only applies in residential neighborhoods between the hours of 9:00 p.m. to 7:00 a.m. of the following day. Given that NASA's remediation activities will not occur in residential neighborhoods and are scheduled between the hours of 7:00 a.m. and 7:00 p.m. (DEIS, Section 4.11, Pg. 4-140), the night-time noise standard would not apply. The

Planning Division recommends that the reference to this noise ordinance be removed from Appendix B, as it does not appear to be applicable.

- *General Plan:* The General Plan does contain policies related to noise (General Plan, Section 2.16.2), but the policies that would otherwise be relevant to the Proposed Action apply only when the noise being generated occurs near noise sensitive uses - which the County defines as dwellings, schools, hospitals, nursing homes, churches, and libraries (Ventura County Initial Study Assessment Guidelines, pg. 120). Given that most proposed noise-generating activities (such as demolition) will take place on-site away from noise sensitive uses, the General Plan policies would not apply.

  General Plan noise policies do apply to truck traffic generated by the Proposed Action that occurs near noise sensitive uses. The DEIS discusses noise impacts generated by the trucks that will transport materials generated by proposed cleanup activities. As shown in Figure 3.11-1, one of the haul routes, Box Canyon Road, is located in Ventura County. However, Box Canyon Road is part the County's 2020 Regional Road Network (Figure 4.2.3 of the General Plan - Public Facilities Appendix), and the General Plan excludes traffic-general noise on the Regional Road Network from noise policies/standards within the General Plan (General Plan, Section 2.16.2(4)).

The County recommends that NASA clarify its truck trip calculations so that noise impacts can be properly evaluated. Currently, there's an inconsistency within the report regarding the amount of additional truck traffic that could be generated by the Proposed Action. On page 4-119 of the DEIS, it states that 3,476 trips associated with demolition hauling would take place over the course of approximately one year. However, on page 4-139 of the DEIS, it says that the "analysis assumed that up to 142 trucks per day would use the designated haul routes." Assuming 260 work days in a year, these 142 daily truck trips add up to almost 37,000 annual truck trips, which is considerably more trips than the 3,476 trips estimated elsewhere in the DEIS. In addition, in Section 4.11.1.1 (Demolition) of the DEIS (pg. 4-140), it states that demolition activities would take place between 2014 and 2016. Of course, demolition activities would result in additional truck trips and those trips do not appear to be accounted for in the 37,000 truck trips noted above.

E. Resource Management Agency, Planning Division, Cultural Heritage

Planning Division Cultural Heritage Board staff (CHB Staff) is aware of and acknowledges that NASA intends to use the NEPA process and this DEIS in lieu of procedures set forth in 36 CFR §§ 800.3 through 800.6 to review the cultural heritage impacts of the SSFL demolition and cleanup project in order to comply with the directives set forth in section 106 of the NHPA. Particular attention has been placed on Sections 3.3 and 4.3 of the DEIS and DEIS Appendix C: Section 106 Findings of Effect Consultation Report, Ventura County, California.

The CHB staff comments seek to evaluate whether "'most or all of the primary structures, sites, and other improvements . . . could be considered potentially eligible for listing on both the National Register of Historic Places and the California Register of Historic Places. (Calvit and Barrier 2006:1)'" (NASA, Historic Resources Survey and Assessment of the NASA Facility at Santa Susana Field Laboratory, Ventura County, California (March 2009 ver.) p. i.; see also 36 CFR Part 60) and whether the proposed project significantly affects existing cultural resources, including sacred sites and historic properties in the project's region of influence or area of potential effects.

Identified Cultural Resources

The historic architectural resources identified in the DEIS and Appendix C (Draft Cultural Resources Study for the Environmental Cleanup and Demolition at SSFL, NASA Areas I and II) consist of three historic districts (Alfa, Bravo and Cocas Test Areas) and their contributing elements, as well as the individual eligibility of the nine structures within those districts.

The archaeological resources identified in the DEIS and Appendix C include the Burro Flats Painted Cave site of approximately 10 acres that is listed in the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR). Sites CA-VEN-1800 and CA VEN-1803 are being considered potentially eligible for purposes of this undertaking.

CHB staff concurs with the NRHP eligibility of the three districts and their contributing elements, as well as the nine individual eligible structures and the NRHP eligible archaeological sites as described in the May 2008 Historic Resources Survey and Assessment of the NASA facility at SSFL.

Area of Potential Effects (APE)

The Area of Potential Effects, as shown in Figure 3.3-1 of the DEIS text, is also referred to as the Region of Influence (ROI). The APE includes approximately 490 acres, including 182.6 ha (451.2 acres) of NASA-administered property, 16.9 ha (41.7 acres) in Area I, and 165.7 ha (409.5 acres) in Area II. An additional 15.7 ha (39 acres) of Boeing property are included in the APE, because these areas likely would be part of NASA's remediation activities.

CHB staff believes the APE boundary is inadequate. As shown in Figure 2 of Appendix C, additional soil remediation cleanup areas are located outside of the existing APE. The APE should be adjusted to include these sites. Furthermore, the Traditional Cultural Property and Cultural Landscape Assessment ("TCP Assessment") has not been completed, so it is unknown whether these sites would be within the current APE. Once the Assessment has been completed, the results and recommendations should be incorporated into the DEIS for recirculation to the public and if necessary, the APE adjusted to incorporate these sites.

Ventura County General Plan Policies Related to Cultural Resources

The COUNTY's General Plan establishes goals and policies for paleontological and cultural resources of the COUNTY (including archaeological, historical and Native American resources) for their scientific, educational and cultural value. The Ventura County General Plan Policies which apply to cultural resources are as follows:

1.8.2.1 - Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.

In accordance with the above policy, the TCP Assessment and the Chumash Sacred Site boundary identification should be completed so that the full scope of the project is known. Once the assessment and the boundary identification are completed, the potential impacts to such resources can be disclosed to the general public and considered by the decision makers in their determination to implement the project.

The purpose of the DEIS is to "inform decision makers and the general public of the environmental consequences of a proposed federal action." The DEIS doesn't disclose the full magnitude of the property disturbance. Delineation of

the contaminated areas is still underway so it is premature to circulate a NEPA document when the full scope of the project is unknown.

1.8.2.2 - Development shall be designed or re-designed to avoid potential impacts to significant paleontological and cultural resources. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data.

Decisions presented in the DEIS should first consider project avoidance and minimization of effects, rather than mitigation. Mitigation measures should be developed to save all three test stands, and their contributing elements, as well maintaining the individual eligibility of the nine structures within the three historic districts.

1.8.2.5. During environmental review of discretionary development, the reviewing agency shall be responsible for identifying sites having potential archaeological, architectural or historical significance and this information shall be provided to the County Cultural Heritage Board for evaluation.

1.8.2.3 - Mitigation of significant impacts on cultural or paleontological resources shall follow the Guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission, and shall be performed in consultation with professionals in their respective areas of expertise.

1.8.2.4. Confidentiality regarding locations of archaeological sites throughout the County shall be maintained in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

In accordance with the policies above, CHB staff recommends that the DEIS incorporate feasible mitigation measures identified by the Santa Ynez Band of Chumash Indians and the Native American Heritage Commission through consultation with NASA for the protection of the nationally significant Burro Flats Painted cave archaeological site, the not-yet defined Chumash Sacred Site, as well as Sites CA-VEN-1800 and CA VEN-1803. As part of the consultation, the location of the archaeological sites shall remain confidential. Additionally, feasible mitigation measures identified by the National Park Service, Advisory Council on Historic Preservation, and the State Office of Historic Preservation staff for the protection of the NRHP eligible historic architectural resources during the Section 106 consultation should be incorporated into the DEIS.

Mitigation Measures (Cultural MM-1, MM2, MM3, MM4 and MM5 under Section 4.3 – Cultural Resources)

The identified Mitigation Measures "MM-1 Retaining one Test Stand," "MM-2 HABS/HAER documentation" and "MM-3 In-depth ethnographic study" for the impacts on cultural and historic resources from proposed demolition, excavation, soil removal and groundwater cleanup do not reduce the significant adverse effects of the project to a less than significant level.

MM-1 Mitigation Measure for retention of one test stand does not meet the *Secretary of Interior's Standards and Guidelines for Preservation* which requires retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time.

MM-2 and MM-3 Mitigation measures of HABS/HAER documentation recording and the completion of ethnographic studies would avoid the loss of historical information, but do not prevent the physical loss of historically significant resources. It should be noted that photographic documentation to HABS standards of a historic building or structure is not sufficient mitigation for its demolition (Architectural Heritage Assn. et al v. County of Monterey, (2004) 122 Cal.App. 4th 1095.)

CEQA requires that all feasible mitigation be undertaken even if they do not mitigate the project below a level of significance. Therefore, additional mitigation measures should be developed to save all three test stands, and their contributing elements, as well as the nine structures within the three identified historic districts.

CHB staff concurs with using the following Mitigation Measures:

- Avoidance of excavation within the boundaries of Burro Flats (CA-VEN-1072) and CA-VEN-1803 to diminish or eliminate adverse impacts to known archeological sites and reduce the impacts to negligible.
- All three Test Stands and their contributing elements, as well as with the individual eligibility of the nine structures should be retained in-situ or relocated elsewhere on the same project site.
- Use Monitored Natural Attenuation (MNA) to monitor soils or groundwater to evaluate the reduction in contamination over a period of time once another treatment technology had been implemented or the naturally occurring attenuation processes had proven effective in reducing contamination in the subsurface.

- Use of Institutional Controls including deed restrictions, fencing, signage, and other security measures to eliminate public access to the most significant sites.

Project Alternatives

The DEIS alternatives ("No Action" and 100% Demolition) discussion is inadequate. The alternatives analysis is considered the "heart" of the EIS and should discuss a range of alternatives, including all "reasonable alternatives." CHB staff recommends that the DEIS include additional alternatives that are feasible from an economic, technical, and future land use standpoint that provides for the preservation of the most significant historic resources at SSFL. The DEIS should develop mitigation measures in conformance with the *Secretary of Interior's Standards for Rehabilitation* that would result in the retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time. Other cleanup alternatives consistent with the potential future use of the land should be considered.

F. Resource Management Agency, Environmental Health Division

The Ventura County Environmental Health Division (EHD) does not have jurisdiction over the cleanup activities at Santa Susana Field Laboratory (SSFL). Nevertheless, the EHD provides the following comments upon the DEIS and the activities referenced therein:

1. The information in the DEIS indicates that the handling of solid waste and hazardous materials encountered or created in the cleanup activities appears to be in conformance with applicable regulations regarding these materials.

2. Two known closed solid waste landfills exist within the general area of the SSFL. These are identified as Area 1 Landfill Solid Waste Information System (SWIS) #56-CR-0051, and Area 2 Landfill SWIS #56-CR-0052. The EHD understands that the cleanup activities proposed in the DEIS will not impact these closed solid waste landfills, however, in the event that changing conditions during the cleanup occur which results in disturbance of either of these landfills, the EHD, as Local Enforcement Agency for Solid Waste must be contacted prior to any disturbance. Also, the EHD will continue to monitor the condition of these solid waste landfills, in conformance with State minimum standards.

3. The EHD oversees testing requirements for specified projects in proximity to the SSFL for perchlorate and trichloroethylene. The EHD does not anticipate any change to this testing protocol related to the cleanup.

Thank you for the opportunity to review and comment on the DEIS. Additional comments may have been sent directly to you by other County agencies, such as the Ventura County Air Pollution Control District.

Please note that responses to Public Works Agency comments should be sent directly to the commenter, with a copy to Laura Hocking at the Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009. Memos from the Public Works Agency Transportation Department and Integrated Waste Management Division with their comments are attached for reference.

General questions on this letter may be directed to Laura Hocking, RMA Planning Division, at (805) 654-2443 or via email at Laura.Hocking@ventura.org, using County RMA Reference Number 13-019.

Sincerely,

Chris Stephens
Director

cc: Laura Hocking, RMA Planning Division

Attachments:

Response to DEIS from County of Ventura Public Works Agency Integrated Waste Management Division dated August 21, 2013

Response to DEIS from County of Ventura Public Works Agency, Transportation Department dated August 20, 2013

County of Ventura
Public Works Agency
Integrated Waste Management Division
MEMORANDUM

Date: August 21, 2013

To: Allen Elliott
National Aeronautics & Space Administration (NASA)

From: Derrick Wilson, Staff Services Manager
Integrated Waste Management Division

Subject: **Non-County Project – RMA No. 13-019**
Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities at Santa Susana Field Laboratory

Lead Agency: National Aeronautics & Space Administration (NASA)
Lead Agency Contact: Allen Elliott, 256/544-0662

Summary:
NASA has announced the availability of a Draft Environmental Impact Statement (DEIS) to evaluate the potential environmental impacts of proposed demolition and environmental cleanup activities on property administered by NASA at the Santa Susana Field Laboratory (SSFL) in Ventura County. NASA is preparing land they administer at the SSFL for disposition, or "excess," through the Department of General Services (GSA). NASA's preparation of the land for disposition includes consideration of the possible demolition of all structures on land they administer at the SSFL. The purpose of the DEIS is to inform NASA decision makers, regulating agencies, and the public of potential environmental consequences of the proposed demolition of buildings and structures at the SSFL, and the proposed environmental cleanup actions for groundwater and soil on NASA administered land at the SSFL. The DEIS will consider a range of remedial technologies that might be implemented to achieve the proposed groundwater and soil remediation goals. NASA will use the DEIS to consider the potential environmental, economic, and social impacts of proposed remediation actions.

Pursuant to RMA's request, the Integrated Waste Management Division (IWMD) has reviewed NASA's July, 2013, DEIS pertaining to the proposed demolition and environmental cleanup at the SSFL. The IWMD appreciates this opportunity to provide our comments.

The following contract specifications pertain to all **uncontaminated** materials generated during demolition and environmental cleanup activities on NASA's portion of the SSFL site. The IWMD requests that NASA comply with Ventura County Ordinances 4445 (solid waste handling, disposal, waste reduction, and waste diversion) and 4421 (the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to comply

with the waste diversion mandates of Assembly Bill 939 (AB 939) which mandates all cities and counties in California to divert recyclable solid waste from landfills. Both of these Ordinances may be viewed in their entirety on the IWMD's website at: www.wasteless.org/landfills/ordinances.

Pursuant to IWMD review and responsibilities, the following contract specifications shall apply to uncontaminated materials generated by this project:

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris

Contract specifications for this project must include a requirement that C&D debris generated by the demolition of uncontaminated buildings on the project site must be diverted from the landfill. Recyclable C&D materials include, but are not limited to, concrete, asphalt, rebar, wood, and metal. These materials must be recycled at an appropriate, permitted C&D debris recycling facility. A complete list of permitted C&D debris recycling facilities in Ventura County is available at: www.wasteless.org/construction&demolitionrecyclingresources. All uncontaminated, non-recyclable, materials shall be disposed of at a permitted disposal facility.

Uncontaminated Soil - Recycling & Reuse

Contract specifications for this project must include a requirement that uncontaminated soil that is not reused on-site during the C&D phase(s) of this project shall be transported to an authorized and/or permitted organics facility for recycling or reuse. Illegal disposal and landfilling of uncontaminated soil is prohibited. A complete list of facilities in Ventura County that recycle uncontaminated soil is available at: www.wasteless.org/construction&demolitionrecyclingresources.

Uncontaminated Green Materials - Recycling & Reuse

The Contract Specifications for this project must include a requirement that uncontaminated wood waste and vegetation removed during the C&D phase(s) of this project must be diverted from the landfill. This can be accomplished by on-site chipping and land-application at the project site if deemed appropriate by NASA, or by transporting uncontaminated materials to an authorized and/or permitted greenwaste facility in Ventura County. A complete list of authorized greenwaste facilities is located at: www.wasteless.org/greenwasterecyclingfacilities.

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris – Required Reports

Per Ventura County Ordinance 4421:

1. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed ***Form B – Recycling Plan*** to the IWMD for approval. The ***Form B – Recycling Plan*** must specify how uncontaminated, recyclable C&D debris generated by the project (e.g., concrete, asphalt, wood, soil, greenwaste, metal) will be diverted from the landfill. A copy of IWMD's ***Form B – Recycling Plan*** is available at: www.wasteless.org/recycling/greenbuildingCD.

2. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed

Form C – Recycling Report to the IWMD at the conclusion of the project. The ***Form C – Recycling Report*** must have original recycling facility receipts and/or other documentation attached to verify that recycling, NASA approved on-site reuse, or salvage of uncontaminated C&D debris occurred. A copy of IWMD's ***Form C – Recycling Report*** is available at: www.wasteless.org/recycling/greenbuildingCD.

Should you have any questions regarding this memo, please contact Pandee Leachman at 805/658-4315.

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

MEMORANDUM

DATE: August 20, 2013

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Transportation Department

SUBJECT: REVIEW OF DOCUMENT 13-019 Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities for NASA-administered portion of the **Santa Susana Field Laboratory (SSFL).**
Simi Hills, Ventura County (State)
Lead Agency: **California Department of Toxic Substances Control (DTSC)**

Pursuant to your request, the Public Works Agency – Transportation Department has completed the review of the Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities for the National Aeronautics and Space Administration (NASA)-administered portion of the Santa Susana Field Laboratory (SSFL) located in the Simi Hills south of the City of Simi Valley and west of the Ventura and Los Angeles County jurisdictional boundary.

Site activities at the 2,850-acre SSFL have included research, development, and testing of liquid-fueled rocket engines and components for various governmental space programs. Rocketdyne (predecessor to Boeing) began operations in the late 1940s for the Air Force and then NASA. NASA gradually discontinued testing in the 1980s, with final tests conducted in 2006. The site consists of four administrative areas known as Areas I, II, III, and IV and two undeveloped areas or buffer zones.

This project proposes a demolition of approximately 100,000 CY of debris (tests stands and other structures) and 500,000 CY of soil in the NASA-administered areas, approximately 41.7 acres within Area I and all 409.5 acres of Area II. The Boeing company manages the remaining area of the property (2,398.8 acres). This project will generate approximately 39,000 trucks over an estimated 650 working days. The project will require 34 construction workers during the 150-day demolition phase and 15 construction workers during the 500-day excavation and disposal phase.

The California DTSC oversees the comprehensive environmental investigation, monitoring, and cleanup program of contamination at the SSFL. The process for actual cleanup includes: (1) Resource Conservation Recovery Act (RCRA) Facility Investigations (RFI) Reports; (2) a Feasibility Study; (3) a Risk Assessment; (4) a draft Remedial Action Plan (RAP); (5) a draft Environmental Impact Statement (EIS); (6) final RAP; and (7) final EIS.

We have reviewed several documents in regard to the SSFL cleanup. Our previous comments are still valid and applicable.

We offer the following comments on the DEIS for the demolition and cleanup activities in the NASA-administered areas of the SSFL:

1. According to the Truck Route Map (Figure 4.5-1), the project proposes to access the SSFL via Santa Susana Pass Road and Box Canyon Road in the County of Ventura and Woolsey Canyon Road in the County of Los Angeles.

    a. The project proponent should be aware that Santa Susana Pass Road from Katherine Road to Rocky Peak Road has a "No Trucks Over 2 Axles" Truck Restriction adopted by the Ventura County Board of Supervisors (BOS) February 4, 1986.

    b. The project proponent should be aware that Box Canyon Road from Santa Susana Pass Road to the Ventura County and Los Angeles County jurisdictional boundary has a "No Trucks 3 Or More Axles" Truck Restriction adopted by the BOS September 28, 1999.

    c. If the project proponent plans to use trucks that are not restricted on Santa Susana Pass Road or Box Canyon Road, then please include these roads in the survey of road conditions as described in Traffic MM-2 on Pages 6-3 of the DEIS.

        i. Proper precautions should be taken to protect all County road facilities in the unincorporated areas.

        ii. If, in the opinion of the Transportation Department, any portion of a County road is damaged by the project's operations, then it should be repaired in accordance with current standard construction details and/or in a manner acceptable to the Transportation Department.

        iii. An Encroachment Permit is required for any work in the public right-of-way.

    d. The Transportation Department will not allow/permit hauling on Black Canyon Road north of the project site.

2. Please notify the Transportation Department when the Final EIS is ready for review and comment.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

ec: Anitha Balan, Permits, Transportation Department

county of ventura

RESOURCE MANAGEMENT AGENCY
CHRISTOPHER STEPHENS
Agency Director

Code Compliance Division
Jim Delperdang, Director

Building and Safety Division
Jim MacDonald, Building Official

Operations Division
Jennifer Padre, Director

Planning Division
Kimberly L. Prillhart, Director

Environmental Health Division
William C. Stratton, Director

September 27, 2013

Mr. Allen Elliot, SSFL Program Director
NASA MSFC AS01
Building 4494
Huntsville, AL 35812

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Subject: **County of Ventura, California Comments on Draft Environmental Impact Statement (DEIS) for demolition and cleanup activities at Santa Susana Field Laboratory (SSFL) in Ventura County, California pursuant to the National Environmental Policy Act (NEPA), as amended (42 U.S.C. §4321 et seq.) and the National Historic Preservation Act (NHPA), as amended (16 U.S.C. §470 et seq.)**

Dear Mr. Elliot:

Thank you for the opportunity to review and comment on the subject document. As a potential regulating governmental agency over portions or aspects of the above-referenced project and in response to the Notice of Availability of the DEIS (78 FR 47007, 08/02/2013), the County of Ventura (COUNTY) provides the National Aeronautics and Space Administration (NASA), the NEPA lead agency for this project, the following comments pursuant to NEPA, as amended (42 U.S.C. § 4321 et seq.), the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and NASA's NEPA policy and procedures (14 CFR Part 1216, subpart 1216.3).

The COUNTY, by and through its constituent agencies, departments and divisions, reviewed the July 2013, DEIS for the SSFL project with a focus on whether the DEIS sufficiently identifies and analyzes the proposed SSFL demolition and cleanup project's environmental impacts and adequately discusses measures in which such impacts may be mitigated or avoided. To that end, the COUNTY provides the following comments based upon its duties and responsibilities under California state law and local ordinance:

A. Public Works Agency, Integrated Waste Management Division (IWMD)

Pursuant to IWMD review and responsibilities, the following contract specifications pertain to all uncontaminated materials generated during demolition and environmental cleanup activities on NASA's portion of the SSFL site.

The IWMD requests that NASA comply with Ventura County Ordinances 4445 (solid waste handling, disposal, waste reduction, and waste diversion) and 4421 (the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to comply with the waste diversion mandates of Assembly Bill 939 (AB 939) which mandates all cities and counties in California to divert recyclable solid waste from landfills. Both of these Ordinances may be viewed in their entirety on the IWMD's website at: www.wasteless.org/landfills/ordinances.

The following contract specifications shall apply to uncontaminated materials generated by this project:

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris
Contract specifications for this project must include a requirement that C&D debris generated by the demolition of uncontaminated buildings on the project site must be diverted from the landfill. Recyclable C&D materials include, but are not limited to, concrete, asphalt, rebar, wood, and metal. These materials must be recycled at an appropriate, permitted C&D debris recycling facility. A complete list of permitted C&D debris recycling facilities in Ventura County is available at: www.wasteless.org/construction&demolitionrecyclingresources. All uncontaminated, non-recyclable, materials shall be disposed of at a permitted disposal facility.

Uncontaminated Soil - Recycling & Reuse
Contract specifications for this project must include a requirement that uncontaminated soil that is not reused on-site during the C&D phase(s) of this project shall be transported to an authorized and/or permitted organics facility for recycling or reuse. Illegal disposal and landfilling of uncontaminated soil is prohibited. A complete list of facilities in Ventura County that recycle uncontaminated soil is available at: www.wasteless.org/construction&demolitionrecyclingresources.

Uncontaminated Green Materials - Recycling & Reuse
The Contract Specifications for this project must include a requirement that uncontaminated wood waste and vegetation removed during the C&D phase(s) of this project must be diverted from the landfill. This can be accomplished by on-site chipping and land-application at the project

site if deemed appropriate by NASA, or by transporting uncontaminated materials to an authorized and/or permitted greenwaste facility in Ventura County. A complete list of authorized greenwaste facilities is located at: www.wasteless.org/greenwasterecyclingfacilities.

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris – Required Reports per Ventura County Ordinance 4421:

1. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed *Form B – Recycling Plan* to the IWMD for approval. The *Form B – Recycling Plan* must specify how uncontaminated, recyclable C&D debris generated by the project (e.g., concrete, asphalt, wood, soil, greenwaste, metal) will be diverted from the landfill. A copy of IWMD's *Form B – Recycling Plan* is available at: www.wasteless.org/recycling/greenbuildingCD.

2. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed *Form C – Recycling Report* to the IWMD at the conclusion of the project. The *Form C – Recycling Report* must have original recycling facility receipts and/or other documentation attached to verify that recycling, NASA approved on-site reuse, or salvage of uncontaminated C&D debris occurred. A copy of IWMD's *Form C – Recycling Report* is available at: www.wasteless.org/recycling/greenbuildingCD.

B. Public Works Agency, Transportation Department, Traffic, Advance Planning & Permits Division

This project will generate approximately 39,000 trucks over an estimated 650 working days. The project will require 34 construction workers during the 150-day demolition phase and 15 construction workers during the 500-day excavation and disposal phase.

The COUNTY Transportation Department reviewed several documents in regard to the SSFL cleanup. Our previous comments are still valid and applicable.

Transportation Department staff offers the following comments on the DEIS for the demolition and cleanup activities in the NASA-administered areas of the SSFL:

1. According to the Truck Route Map (Figure 4.5-1), the project proposes to access the SSFL via Santa Susana Pass Road and Box Canyon Road in the County of Ventura and Woolsey Canyon Road in the County of Los Angeles.

    a. The project proponent should be aware that Santa Susana Pass Road from Katherine Road to Rocky Peak Road has a "No Trucks Over 2 Axles" Truck Restriction adopted by the Ventura County Board of Supervisors (BOS) February 4, 1986.

    b. The project proponent should be aware that Box Canyon Road from Santa Susana Pass Road to the Ventura County and Los Angeles County jurisdictional boundary has a "No Trucks 3 Or More Axles" Truck Restriction adopted by the BOS September 28, 1999.

    c. If the project proponent plans to use trucks that are not restricted on Santa Susana Pass Road or Box Canyon Road, then please include these roads in the survey of road conditions as described in Traffic MM-2 on Pages 6-3 of the DEIS.

        i. Proper precautions should be taken to protect all County road facilities in the unincorporated areas.

        ii. If, in the opinion of the Transportation Department, any portion of a County road is damaged by the project's operations, then it should be repaired in accordance with current standard construction details and/or in a manner acceptable to the Transportation Department.

        iii. An Encroachment Permit is required for any work in the public right-of-way.

    d. The Transportation Department will not allow/permit hauling on Black Canyon Road north of the project site.

2. Please notify the Transportation Department when the Final EIS is ready for review and comment.

    Transportation Department review is limited to the impacts this project may have on the County's Regional Road Network.

C. Resource Management Agency, Planning Division, Biological Resources

The following comments address biological resource issues associated with the Proposed Action at the NASA SSFL, including issues related to COUNTY regulations and the adequacy of impact analysis and proposed mitigation measures within the DEIS. Specific areas of comment address the following:

- General Plan goals and policies related to biological resources
- Ventura County Locally Important Species and Communities
- DEIS Data and Analysis Corrections
- Impacts and Mitigation Measures

Ventura County General Plan

Currently, the DEIS does not discuss the Proposed Action with respect to General Plan goals and policies for biological resources. Several policies in the County's General Plan support the protection of biological resources as follows:

(1) Wildlife migration corridors, threatened or rare species and their habitats, and locally important species/communities are considered to be significant biological resources that should be preserved and protected from incompatible land uses and development (GP Goal 1.5.1);

(2) Biological resource policies include wetland protection policies, such as a 100 foot setback from significant wetland habitat for all discretionary development (GP Policy 1.5.2.4) and a requirement to evaluate biological impacts for discretionary projects within 300 feet of waters and wetlands (GP Policy 1.5.2.3); and

(3) The Santa Susana Field Laboratory is identified as an area with a "Significant Biological Resource" under Figure 1.5.6.2, *Biological Resource Map,* in the General Plan Resource Appendix.

The DEIS should be revised to discuss consistency with General Plan policies in identifying impact intensity, type, context, and duration. Mitigations measures should be developed that preserve and protect SSFL biological resources and incorporate recommended wetland protections.

Ventura County Locally Important Species and Communities

Section 4.4 and Appendix E Section 2.1 of the DEIS do not include an analysis of Ventura County Locally Important Species, and the DEIS does not consider them as "special status species" under Section 4.4.1.1. Impacts to Ventura County Locally Important Plant Species identified on-site should be evaluated and mapped (e.g., *Allophyllum divaricatum* and *Crassula aquatic*). For a complete listing of Locally Important Species please see the following link:

http://www.ventura.org/rma/planning/conservation/locally-important-species.html

Impacts to Locally Important Communities (e.g., Venturan coastal sage scrub, oak woodlands) should be acknowledged in the EIS. The EIS should evaluate direct and indirect (i.e., dust) impacts to Locally Important Communities.

DEIS Data and Analysis Corrections

The list below, which is not exhaustive, identifies examples of biology-related issues that need to be further addressed in the EIS analysis.

(1) Evaluation of Presence of the Californian Gnat Catcher (CAGN). The CAGN should be discussed in Section 4.4.1.1, and included where applicable throughout the DEIS biological resource analysis. On-site Venturan coastal sage scrub, and potentially other unidentified vegetation alliances absent the DEIS analysis, provides suitable habitat for the CAGN, a ***federally listed threatened bird***. In recent years, CAGN has been observed in coastal sage scrub habitats in Ventura County that were previously thought to be unoccupied. Many of these occurrences, which are near Thousand Oaks, Camarillo, Simi Valley, and Moorpark, are located in habitats similar to the habitats on the project site. Given that suitable habitat is present, and no protocol presence/absence surveys were conducted, potential exists for the presence of the CAGN. Page E-38 Appendix E describes the potential for CAGN to occur on the project site as "unlikely" based the transition from coastal sage to chaparral and the dense brush cover. This evidence is inadequate for three reasons: (a) the project site was never surveyed for CAGN, (b) suitable habitat exists on the project site, and (c) several new occurrences of CAGN were identified in the region.

Given this additional evidence, protocol surveys should be conducted within suitable habitat in the areas proposed to be directly and indirectly impacted by the project to adequately evaluate the potential impacts of the project on CAGN.

(2) Wildlife Corridor. A significant biological resource located adjacent to the project site is the regional wildlife movement corridor that connects habitats within the Simi Hills and Santa Susana Mountains with the western portion of the Santa Monica Mountains. This corridor, identified and mapped by the South Coast Missing Linkages Project (2006), is located immediately east of the project site. However, modeled corridor strands should not be taken as absolute limits to the areas of the landscape on SSL that wildlife use for movement, as nearby areas outside the modeled corridor that appears on the South Coast Missing Linkages map are likely still utilized.

The project site contains significant habitat connections and movement patterns for both transitory and permanent wildlife populations. Direct impacts from habitat destruction, fencing, and equipment can create physical barriers to wildlife movement while indirect impacts from lighting, noise, and increased human activity may also discourage wildlife use of the area. Impacts to the regional wildlife corridor, including temporary and long-term introduction of barriers to gene flow, should be considered in the DEIS. In addition, the "no impact" assessment in Section 4.4.1.3 should be corrected to reflect the appropriate intensity level, duration, and context. Additionally, Figure 4.4-2 and 3.4-2 should be updated to include on-site specific connectivity features and impediments to connectivity that would result from the project.

(3) Vegetation Mapping. Vegetation types and sensitive communities, which are briefly categorized in the Appendices and in Section 3.4, should be mapped to the alliance level consistent with the *California Manual of Vegetation* (2010) and included in the DEIS. The entire site, and any off-site affected area (e.g., groundwater basins), should be mapped to the alliance level, which would provide an analysis of sensitive communities and habitats and a baseline for mitigation opportunities such as habitat restoration.

The EIS analysis, including Figure 4.4-1, only describes two types of communities affected by the project. Detail on the amount of vegetation

removed and the area of *all* native vegetation alliances impacted needs to be depicted and discussed in the DEIS and its appendices.

(4) Native Soil Import Impacts. Page 4-35 states that 39 acres of native soil would be removed as a result of the Proposed Action, and that an unknown amount of replacement native soil would be imported. The DEIS should specify the off-site locations where imported, replacement native soil would be obtained and provide an analysis of potential impacts associated with the removal of soil from that property.

If the excavation areas for the native soil fill for the proposed project are located within unincorporated Ventura County, it is presumed that a discretionary permit from Ventura County would be required, and the potential project impacts associated with the removal of native soil within the unincorporated County must therefore be evaluated in the DEIR in accordance with the County's thresholds of significance. Those thresholds are found in the *Ventura County Initial Study Assessment Guidelines*. In addition, the removal of off-site soil must be evaluated for consistency with the County's policies and ordinances.

(5) Oak Woodlands Preservation. Absent from Appendix B, *Applicable Laws and Regulations*, is the California State Oak Woodland Conservation Act (OWCA) (PRC §21083.4, Fish and Game Code §1361). The Ventura County Oak Woodland Management Plan was developed in response to the OWCA, and oak woodlands have also been acknowledged as a Locally Important Community by the Ventura County Board of Supervisors. Oak Woodlands were also identified as a sensitive community by the California Department of Fish and Wildlife, and impacts to the two oak woodlands on-site should be included in the DEIS. Figure 4.4-1 only shows two communities in the context of soil clean-up boundaries. The two types of oak woodlands need to be shown on Figure 4.4-1, and the acreage removed should be quantified in the DEIS. The DEIS does not provide adequate detail to know whether direct or indirect impacts would occur to the approximately 22.5 acres of oak woodland habitat identified onsite (Appendix D, Table 10), and the document should be revised to address impacts to oak woodlands and individual oak trees.

(6) Groundwater Clean-up: The DEIS currently lacks adequate information on potential impacts to biological resources that could result from proposed changes to hydrology. Section 4.4.1.4 (Page 4-41) of the DEIS should include more information regarding impacts both on-site and offsite related

to the following changes associated with the Proposed Action: (a) changes to the water table, (b) additional topsoil removal "outside the soil clean-up footprints", (c) on-site wetlands, and (d) effects on regional hydrology. In addition, the DEIS should include impacts to off-site and on-site native vegetation alliances that would be affected by changes to hydrology as shown in Appendix Figure 2.2-4.

(7) Protocol Surveys. Additional protocol surveys are needed for special status species found within the SSFL study area. In the absence of protocol surveys for special status species (e.g., riverside shrimp, red-legged frog), actual impacts to wildlife from the implementation of the project are speculative.

Impacts and Mitigation Measures

The proposed project would result in extensive impacts to biological habitat for numerous special status species. The biological resource mitigation measures within the DEIS are generally inadequate under the requirements of NEPA (40 CFR 1508.20) for addressing significant regional impacts that affect sensitive biological resources. As defined under the Council of Environmental Quality (CEQ) guidance document (dated January 4, 2011), NEPA mitigation measures should include documentation, monitoring, and performance standards. The proposed BMPs and mitigation measures lack details on requirements, timing, monitoring, and success criteria. The list below, which is not exhaustive, contains examples of suggested revisions to the EIS impact assessment and mitigation measures:

(1) Removal of Native Vegetation Communities: The removal of approximately 39 acres of native vegetation (impact biology 2a) would be regionally significant and long-term, especially in the absence of adequate mitigation as discussed below. The proposed best management practices mitigation measures would have minimal effect on mitigating this impact. Additionally, removing developed areas (biology impact 2b) would not have a beneficial effect on native vegetation, unless these previously developed areas were carefully restored. Planting an "approved seed mix" without performance criteria or an effective invasive plant removal program would not constitute restoration.

(2) Pre-Construction Wildlife Surveys, Monitoring, and Relocation. Appendix E, Section 4.2, recommends preconstruction surveys and the development of a breeding season schedule for listed and protected

species. However, the Draft EIS Section 4.4.2 only recommends avoidance if protected species are discovered by workers (BMP-4), and it includes a vague reference to red-legged frog monitoring (MM-5). Pre-construction protocol surveys and relocation should be required for all special status wildlife, including Locally Important Species that may be expected to occur, and as recommended in Appendix E, Section 4.2. Additionally, surveys should include species that are present in the vicinity, but are not identified in the DEIS as having the potential to occur (e.g., ring-tailed cat).

Typically, a biological monitor, with any appropriate permits needed, should survey the construction area prior to construction and relocate special-status wildlife outside the construction area. In addition, the construction area should be fenced to prevent the return of wildlife to the construction area. The biological monitor should also be present during project implementation.

(3) Pre-construction Santa Susana Tarplant Surveys and Monitoring. The proposed mitigation (MM-2) and BMPs (BMP-4) are inadequate to address what should be considered a significant regional impact to the State-listed rare Santa Susana Tarplant (Impact Biology 1a and 1g). Avoidance and worker awareness (MM-2) is *not a recognized mitigation measure*. Likewise, BMP-4 is not considered an acceptable strategy for the management of this plant. The mitigation measures should be revised to include preconstruction surveys, biologist monitoring during project implementation, and relocation of impacted species.

(4) On-site Habitat Restoration and Monitoring Plan. The proposed removal of seven (7) acres of the sensitive Ventura Sage scrub, of 0.05 acres southern willow scrub, and of unspecified impacted oak woodlands should be mitigated through on-site restoration. In addition, the on-site restoration should be implemented through mitigation that requires a Habitat Restoration and Monitoring Plan with timing and success criteria. The DEIS should include mitigation measures that require restoration at different ratios for each habitat type, as developed in consultation with the California Department of Fish and Wildlife.

The proposed BMP to reseed with a "approved mix" (BMP-1) is not adequate, and permanent restoration should be conducted with a compatible plant pallet that is derived from reference sites specific to each impacted alliance. In order to maintain the genetic integrity of the local

flora, Native plants and seed stock used during the revegetation process should be locally collected or propagated from locally collected seed or cuttings (from the Simi Valley area or same watershed). An attempt should be made to restore some of the diversity of the existing native plant community by specifically including some of the less common native species currently found on the project site. For temporary revegetation, the DEIS should provide specific information that identifies seed mix, seed application, seeding methods, timing of monitoring, and reporting and performance criteria.

(5) On-site Habitat Preservation. The loss of habitat for locally important wildlife species should be mitigated through the preservation of existing, intact plant communities and through the restoration and preservation of disturbed plant communities at an appropriate ratio in the project vicinity.

(6) Off-site Mitigation Measures. The DEIS should include mitigation measures that require preservation of off-site biological habitats that offset the destruction of native habitat and underlying soils.

(7) Nesting Bird Mitigation. The mitigation that would protect nesting birds (Biology MM-4) is incomplete. Proposed mitigation measures should include nesting and breeding considerations for any special status birds identified onsite, including the Least Bell's Vireo and the Loggerhead Shrike.

(8) Dust. Indirect impacts to biological resources from dust would vary greatly depending on the amount of excavation required. The DEIS should consider impacts and mitigation measures from dust based on the excavation to 20 feet.

(9) Wetlands. The DEIS must disclose all mitigation measures and related impacts in the current document. Currently, the DEIS (Page 4-39) states that the project could affect two (2) acres of wetlands, and it identifies this loss as moderate, regional, and long-term. The DEIS further states that "NASA would work with the USACE during the permitting process to mitigate the disturbance to waters of the U.S". Impact 6a and b of the DEIS should therefore be updated to reflect that the loss of 2 acres of wetlands is significant, regional, and long-term *unless clearly defined mitigation measures would explicitly reduce impacts.* Additionally, groundwater impacts (Biology impact 2k) to wetlands would not be "no impact" if changes in groundwater were to affect surface water availability.

(10) Deferred Mitigation. Impacts Biology 1b, 1f, 1i,1l, 1o, 1r, , 6a, and 6b were considered (or should be considered, in the case Impacts Biology 6a and 6b) to be "regionally significant". However, the DEIS does not identify appropriate mitigation measures but instead defers the development of mitigation measures to future USFWS review. It is critical that mitigation measures be defined within the DEIS in order to disclose to the public whether (or not) the project under review does (or does not) have potentially significant regional impacts following the application of mitigation measures. Accepted standards for environmental review include the development of mitigation measures within the DEIS, and prior to project approval and implementation. The impact analysis is not clear and clearly defined mitigation is needed within the DEIS.

D. Resource Management Agency, Planning Division, Long Range Planning

The Ventura County Planning Division (Planning Division) Long Range Planning Section evaluated the NASA DEIS for the Proposed Demolition and Environmental Cleanup Activities at the SSFL for consistency with the Ventura County General Plan and the Non-Coastal Zoning Ordinance. This consistency evaluation provides an opportunity for the Planning Division to identify key issues of concern related to land use, and to notify NASA of local regulatory requirements that would be applicable for a non-federally owned property.

This section identifies General Plan land use issues related to the County's Open Space land use designation as well as ordinance-level land use regulations. Additional General Plan issues related to biology and cultural resource issues are identified in separate topic areas.

General Plan Land Use

The County's General Plan land use designation for the entire NASA property is "Open Space". General Plan Section 3.2, Land Use Designations, defines the purpose of the Open Space land use designation, and that definition includes the following:

- Preserve natural resources, (plants, animals, water courses, etc.);
- Manage the production of resources (forest lands, rangeland, agricultural land, etc.);
- Preserve outdoor recreation opportunities including those areas of "outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes"; and

- Preserve areas necessary for public health and safety including those areas, "which require special management or regulation because of hazardous or special conditions..."

The County's General Plan also includes goals and policies for the Open Space land use designation. The Planning Division review identified relevant goals/policies as follows:

(1) Retain open space lands in a relatively undeveloped state so as to preserve the maximum number of future land use options.

(2) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.

(3) Recognize the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization."

While the proposed cleanup at the SSFL is intended to remove the groundwater and soil contamination present at the site, and thus return the site to its "background" condition, the proposed cleanup will occur in a manner that is not consistent with the Open Space goals of the County's General Plan. For example, the project includes significant clearing of native vegetation and soil, which is not consistent with the County's goals of preserving natural resources, using such lands for recreational purposes, or retaining the scenic value of the land. In addition, while the proposed cleanup levels may bring the contaminant levels down to "background," the site would not be returned to "its natural state prior to the introduction of contaminants" (NASA Audit Report No. IG-13-007, pg. 6; NASA SSFL Fact Sheet) given NASA's plan to remove such large amounts of soil and vegetation.

Furthermore, the Planning Division questions the elimination of future "land use" as a consideration for cleanup. Table 2.5-1 of the DEIS states the following:

> *"The proposed demolition and environmental cleanup activities would not result in a change in land use on the NASA-administered property; implementation of the Proposed Action or action alternatives would not require a change in zoning and no easements or land encroachments would be necessary. No land use acquisition or transfers would be required. Existing and proposed land uses do not conflict with federal or state land use plans, policies, regulations, or laws. Therefore, no impacts to land use would occur."*

Although the Proposed Action may not require a change to the County's land use classifications, and would presumably not affect minor land use issues such as easements, that does not lead to a conclusion that "existing and proposed land uses do not conflict with...state land use plans, policies,

regulation, or laws. The State of California requires that local jurisdictions prepare a General Plan, and (as noted previously) the Proposed Action is not consistent with the purpose or goals associated with the property's Open Space land use classification.

In addition, the Planning Division is concerned that remediation alternatives were not developed in a way that reasonably anticipates, or even discusses future land use. In fact, as part of NASA's response to comments, they state that, "(a) decision about future land use is not within NASA's purview, nor part of NASA's EIS" (Appendix K, Pg. K-7). Given the lack of analysis in the EIS, NASA's conclusion that land use can be eliminated as a cleanup consideration appears to be unfounded and premature. Without an examination of land use options (e.g. park use, recreation use, residential use, or other types of land use), it is impossible to state what effect the proposed demolition and cleanup activities will have on future land use of the property. Although not a federal Superfund site, the U.S. Environmental Protection Agency's guidance with respect to remedy selection at Superfund sites is instructive. An EPA 2010 Directive state:

> *"In carrying out Superfund response actions that protect human health and the environment, EPA typically considers the reasonably anticipated future land use of a site in the remedy selection process" (EPA OSWER Directive 9355.7-19).*

Without an analysis of "reasonably anticipated future land use", it is difficult to conclude that remediation decisions are, indeed, consistent with existing and/or future land uses.

Zoning

In addition to the General Plan, future land use for the SSFL site will be dependent upon zoning. The SSFL site, which includes properties owned by Boeing, is also subject to a 1947 Special Use Permit issued by Ventura County. It should be noted that the current zoning for the NASA property, which is Rural Agricultural, or RA-5 acre, is not consistent with the General Plan land use designation of Open Space, which has a 10-acre minimum lot size. Consistent zones would be as follows:

- Open Space (OS), which has a 10-acre minimum
- AE (Agricultural Exclusive), which has a 40-acre minimum

The Zoning Matrix (pg. 44 of the Non-Coastal Zoning Ordinance) shows minor differences in allowable uses between the current zone and the two consistent zones. However, the minimum lot size would change from 5 acres to either 10 or 40 acres, depending on the selected zone.

Tree Protection Ordinance

In addition to the County's General Plan, the County's Non-Coastal Zoning Ordinance (NCZO) guides land use actions. Notably, the NCZO includes a tree protection program (NCZO Sec. 8107-25). Tree protection regulations are a relevant local land use regulation that are not noted among the other applicable regulations listed in Appendix B of the DEIS. The County's tree protection regulations apply to the removal of protected trees in unincorporated areas of Ventura County. Within the NASA property, protected trees include all oak and sycamore tree species as well as any tree that is ninety inches (90") in circumference or larger, which are classified as heritage trees.

The NCZO requires a discretionary permit and offsets for the removal of more than four (4) oak trees. Based on the information provided in Appendix D of the DEIS, there are over 20 acres of oak woodland on the NASA property (Appendix D, Pg. D-17). Although this resource is mapped on Figure 3.4-1 (Vegetated Cover Types), these oak woodlands do not appear in Figure 4.4-1, which is the map showing the Biological Resources that will be impacted by NASA's proposed actions.

The Planning Division recommends that oak woodlands be added to Figure 4.4-1, as it appears that the remediation will remove a portion of the oak woodlands. Moreover, the Planning Division assumes that NASA's remediation plan will remove far more than four oak trees, and hence would have required a discretionary permit and commensurate offsets (such as in-lieu fees) as mitigation for the loss of this resource. In addition, Appendix B of the DEIS should be revised to include the Tree Protection Ordinance and appropriate mitigation should be included in the DEIS to account for the loss of oak woodlands that result from cleanup activities.

Noise Standards

After a review of County noise standards within the General Plan and Noise Ordinance, staff concluded that none of the standards apply to the Proposed Action as follows:

- *Noise Ordinance:* Appendix B of the DEIS refers to the County's Noise Ordinance as an applicable regulation (Pg. B-18), and the document states that it provides relevant night-time noise standards. However, the Noise Ordinance only applies in residential neighborhoods between the hours of 9:00 p.m. to 7:00 a.m. of the following day. Given that NASA's remediation activities will not occur in residential neighborhoods and are scheduled between the hours of 7:00 a.m. and 7:00 p.m. (DEIS, Section 4.11, Pg. 4-140), the night-time noise standard would not apply. The

Planning Division recommends that the reference to this noise ordinance be removed from Appendix B, as it does not appear to be applicable.

- *General Plan:* The General Plan does contain policies related to noise (General Plan, Section 2.16.2), but the policies that would otherwise be relevant to the Proposed Action apply only when the noise being generated occurs near noise sensitive uses - which the County defines as dwellings, schools, hospitals, nursing homes, churches, and libraries (Ventura County Initial Study Assessment Guidelines, pg. 120). Given that most proposed noise-generating activities (such as demolition) will take place on-site away from noise sensitive uses, the General Plan policies would not apply.

  General Plan noise policies do apply to truck traffic generated by the Proposed Action that occurs near noise sensitive uses. The DEIS discusses noise impacts generated by the trucks that will transport materials generated by proposed cleanup activities. As shown in Figure 3.11-1, one of the haul routes, Box Canyon Road, is located in Ventura County. However, Box Canyon Road is part the County's 2020 Regional Road Network (Figure 4.2.3 of the General Plan - Public Facilities Appendix), and the General Plan excludes traffic-general noise on the Regional Road Network from noise policies/standards within the General Plan (General Plan, Section 2.16.2(4)).

The County recommends that NASA clarify its truck trip calculations so that noise impacts can be properly evaluated. Currently, there's an inconsistency within the report regarding the amount of additional truck traffic that could be generated by the Proposed Action. On page 4-119 of the DEIS, it states that 3,476 trips associated with demolition hauling would take place over the course of approximately one year. However, on page 4-139 of the DEIS, it says that the "analysis assumed that up to 142 trucks per day would use the designated haul routes." Assuming 260 work days in a year, these 142 daily truck trips add up to almost 37,000 annual truck trips, which is considerably more trips than the 3,476 trips estimated elsewhere in the DEIS. In addition, in Section 4.11.1.1 (Demolition) of the DEIS (pg. 4-140), it states that demolition activities would take place between 2014 and 2016. Of course, demolition activities would result in additional truck trips and those trips do not appear to be accounted for in the 37,000 truck trips noted above.

E. Resource Management Agency, Planning Division, Cultural Heritage

Planning Division Cultural Heritage Board staff (CHB Staff) is aware of and acknowledges that NASA intends to use the NEPA process and this DEIS in lieu of procedures set forth in 36 CFR §§ 800.3 through 800.6 to review the cultural heritage impacts of the SSFL demolition and cleanup project in order to comply with the directives set forth in section 106 of the NHPA. Particular attention has been placed on Sections 3.3 and 4.3 of the DEIS and DEIS Appendix C: Section 106 Findings of Effect Consultation Report, Ventura County, California.

The CHB staff comments seek to evaluate whether "'most or all of the primary structures, sites, and other improvements . . . could be considered potentially eligible for listing on both the National Register of Historic Places and the California Register of Historic Places. (Calvit and Barrier 2006:1)'" (NASA, Historic Resources Survey and Assessment of the NASA Facility at Santa Susana Field Laboratory, Ventura County, California (March 2009 ver.) p. i.; see also 36 CFR Part 60) and whether the proposed project significantly affects existing cultural resources, including sacred sites and historic properties in the project's region of influence or area of potential effects.

Identified Cultural Resources

The historic architectural resources identified in the DEIS and Appendix C (Draft Cultural Resources Study for the Environmental Cleanup and Demolition at SSFL, NASA Areas I and II) consist of three historic districts (Alfa, Bravo and Cocas Test Areas) and their contributing elements, as well as the individual eligibility of the nine structures within those districts.

The archaeological resources identified in the DEIS and Appendix C include the Burro Flats Painted Cave site of approximately 10 acres that is listed in the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR). Sites CA-VEN-1800 and CA VEN-1803 are being considered potentially eligible for purposes of this undertaking.

CHB staff concurs with the NRHP eligibility of the three districts and their contributing elements, as well as the nine individual eligible structures and the NRHP eligible archaeological sites as described in the May 2008 Historic Resources Survey and Assessment of the NASA facility at SSFL.

Area of Potential Effects (APE)

The Area of Potential Effects, as shown in Figure 3.3-1 of the DEIS text, is also referred to as the Region of Influence (ROI). The APE includes approximately 490 acres, including 182.6 ha (451.2 acres) of NASA-administered property, 16.9 ha (41.7 acres) in Area I, and 165.7 ha (409.5 acres) in Area II. An additional 15.7 ha (39 acres) of Boeing property are included in the APE, because these areas likely would be part of NASA's remediation activities.

CHB staff believes the APE boundary is inadequate. As shown in Figure 2 of Appendix C, additional soil remediation cleanup areas are located outside of the existing APE. The APE should be adjusted to include these sites. Furthermore, the Traditional Cultural Property and Cultural Landscape Assessment ("TCP Assessment") has not been completed, so it is unknown whether these sites would be within the current APE. Once the Assessment has been completed, the results and recommendations should be incorporated into the DEIS for recirculation to the public and if necessary, the APE adjusted to incorporate these sites.

Ventura County General Plan Policies Related to Cultural Resources

The COUNTY's General Plan establishes goals and policies for paleontological and cultural resources of the COUNTY (including archaeological, historical and Native American resources) for their scientific, educational and cultural value. The Ventura County General Plan Policies which apply to cultural resources are as follows:

1.8.2.1 - Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.

In accordance with the above policy, the TCP Assessment and the Chumash Sacred Site boundary identification should be completed so that the full scope of the project is known. Once the assessment and the boundary identification are completed, the potential impacts to such resources can be disclosed to the general public and considered by the decision makers in their determination to implement the project.

The purpose of the DEIS is to "inform decision makers and the general public of the environmental consequences of a proposed federal action." The DEIS doesn't disclose the full magnitude of the property disturbance. Delineation of

the contaminated areas is still underway so it is premature to circulate a NEPA document when the full scope of the project is unknown.

1.8.2.2 - Development shall be designed or re-designed to avoid potential impacts to significant paleontological and cultural resources. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data.

Decisions presented in the DEIS should first consider project avoidance and minimization of effects, rather than mitigation. Mitigation measures should be developed to save all three test stands, and their contributing elements, as well maintaining the individual eligibility of the nine structures within the three historic districts.

1.8.2.5. During environmental review of discretionary development, the reviewing agency shall be responsible for identifying sites having potential archaeological, architectural or historical significance and this information shall be provided to the County Cultural Heritage Board for evaluation.

1.8.2.3 - Mitigation of significant impacts on cultural or paleontological resources shall follow the Guidelines of the State Office of Historic Preservation and the State Native American Heritage Commission, and shall be performed in consultation with professionals in their respective areas of expertise.

1.8.2.4. Confidentiality regarding locations of archaeological sites throughout the County shall be maintained in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

In accordance with the policies above, CHB staff recommends that the DEIS incorporate feasible mitigation measures identified by the Santa Ynez Band of Chumash Indians and the Native American Heritage Commission through consultation with NASA for the protection of the nationally significant Burro Flats Painted cave archaeological site, the not-yet defined Chumash Sacred Site, as well as Sites CA-VEN-1800 and CA VEN-1803. As part of the consultation, the location of the archaeological sites shall remain confidential. Additionally, feasible mitigation measures identified by the National Park Service, Advisory Council on Historic Preservation, and the State Office of Historic Preservation staff for the protection of the NRHP eligible historic architectural resources during the Section 106 consultation should be incorporated into the DEIS.

Mitigation Measures (Cultural MM-1, MM2, MM3, MM4 and MM5 under Section 4.3 – Cultural Resources)

The identified Mitigation Measures "MM-1 Retaining one Test Stand," "MM-2 HABS/HAER documentation" and "MM-3 In-depth ethnographic study" for the impacts on cultural and historic resources from proposed demolition, excavation, soil removal and groundwater cleanup do not reduce the significant adverse effects of the project to a less than significant level.

MM-1 Mitigation Measure for retention of one test stand does not meet the *Secretary of Interior's Standards and Guidelines for Preservation* which requires retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time.

MM-2 and MM-3 Mitigation measures of HABS/HAER documentation recording and the completion of ethnographic studies would avoid the loss of historical information, but do not prevent the physical loss of historically significant resources. It should be noted that photographic documentation to HABS standards of a historic building or structure is not sufficient mitigation for its demolition (Architectural Heritage Assn. et al v. County of Monterey, (2004) 122 Cal.App. 4th 1095.)

CEQA requires that all feasible mitigation be undertaken even if they do not mitigate the project below a level of significance. Therefore, additional mitigation measures should be developed to save all three test stands, and their contributing elements, as well as the nine structures within the three identified historic districts.

CHB staff concurs with using the following Mitigation Measures:

- Avoidance of excavation within the boundaries of Burro Flats (CA-VEN-1072) and CA-VEN-1803 to diminish or eliminate adverse impacts to known archeological sites and reduce the impacts to negligible.
- All three Test Stands and their contributing elements, as well as with the individual eligibility of the nine structures should be retained in-situ or relocated elsewhere on the same project site.
- Use Monitored Natural Attenuation (MNA) to monitor soils or groundwater to evaluate the reduction in contamination over a period of time once another treatment technology had been implemented or the naturally occurring attenuation processes had proven effective in reducing contamination in the subsurface.

- Use of Institutional Controls including deed restrictions, fencing, signage, and other security measures to eliminate public access to the most significant sites.

Project Alternatives

The DEIS alternatives ("No Action" and 100% Demolition) discussion is inadequate. The alternatives analysis is considered the "heart" of the EIS and should discuss a range of alternatives, including all "reasonable alternatives." CHB staff recommends that the DEIS include additional alternatives that are feasible from an economic, technical, and future land use standpoint that provides for the preservation of the most significant historic resources at SSFL. The DEIS should develop mitigation measures in conformance with the *Secretary of Interior's Standards for Rehabilitation* that would result in the retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time. Other cleanup alternatives consistent with the potential future use of the land should be considered.

F. Resource Management Agency, Environmental Health Division

The Ventura County Environmental Health Division (EHD) does not have jurisdiction over the cleanup activities at Santa Susana Field Laboratory (SSFL). Nevertheless, the EHD provides the following comments upon the DEIS and the activities referenced therein:

1. The information in the DEIS indicates that the handling of solid waste and hazardous materials encountered or created in the cleanup activities appears to be in conformance with applicable regulations regarding these materials.

2. Two known closed solid waste landfills exist within the general area of the SSFL. These are identified as Area 1 Landfill Solid Waste Information System (SWIS) #56-CR-0051, and Area 2 Landfill SWIS #56-CR-0052. The EHD understands that the cleanup activities proposed in the DEIS will not impact these closed solid waste landfills, however, in the event that changing conditions during the cleanup occur which results in disturbance of either of these landfills, the EHD, as Local Enforcement Agency for Solid Waste must be contacted prior to any disturbance. Also, the EHD will continue to monitor the condition of these solid waste landfills, in conformance with State minimum standards.

3. The EHD oversees testing requirements for specified projects in proximity to the SSFL for perchlorate and trichloroethylene. The EHD does not anticipate any change to this testing protocol related to the cleanup.

Thank you for the opportunity to review and comment on the DEIS. Additional comments may have been sent directly to you by other County agencies, such as the Ventura County Air Pollution Control District.

Please note that responses to Public Works Agency comments should be sent directly to the commenter, with a copy to Laura Hocking at the Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009. Memos from the Public Works Agency Transportation Department and Integrated Waste Management Division with their comments are attached for reference.

General questions on this letter may be directed to Laura Hocking, RMA Planning Division, at (805) 654-2443 or via email at Laura.Hocking@ventura.org, using County RMA Reference Number 13-019.

Sincerely,

Chris Stephens
Director

cc: Laura Hocking, RMA Planning Division

Attachments:

Response to DEIS from County of Ventura Public Works Agency Integrated Waste Management Division dated August 21, 2013

Response to DEIS from County of Ventura Public Works Agency, Transportation Department dated August 20, 2013

County of Ventura
Public Works Agency
Integrated Waste Management Division
MEMORANDUM

Date: August 21, 2013

To: Allen Elliott
National Aeronautics & Space Administration (NASA)

From: Derrick Wilson, Staff Services Manager
Integrated Waste Management Division

Subject: **Non-County Project – RMA No. 13-019**
Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities at Santa Susana Field Laboratory

Lead Agency: National Aeronautics & Space Administration (NASA)
Lead Agency Contact: Allen Elliott, 256/544-0662

Summary:
NASA has announced the availability of a Draft Environmental Impact Statement (DEIS) to evaluate the potential environmental impacts of proposed demolition and environmental cleanup activities on property administered by NASA at the Santa Susana Field Laboratory (SSFL) in Ventura County. NASA is preparing land they administer at the SSFL for disposition, or "excess," through the Department of General Services (GSA). NASA's preparation of the land for disposition includes consideration of the possible demolition of all structures on land they administer at the SSFL. The purpose of the DEIS is to inform NASA decision makers, regulating agencies, and the public of potential environmental consequences of the proposed demolition of buildings and structures at the SSFL, and the proposed environmental cleanup actions for groundwater and soil on NASA administered land at the SSFL. The DEIS will consider a range of remedial technologies that might be implemented to achieve the proposed groundwater and soil remediation goals. NASA will use the DEIS to consider the potential environmental, economic, and social impacts of proposed remediation actions.

Pursuant to RMA's request, the Integrated Waste Management Division (IWMD) has reviewed NASA's July, 2013, DEIS pertaining to the proposed demolition and environmental cleanup at the SSFL. The IWMD appreciates this opportunity to provide our comments.

The following contract specifications pertain to all **uncontaminated** materials generated during demolition and environmental cleanup activities on NASA's portion of the SSFL site. The IWMD requests that NASA comply with Ventura County Ordinances 4445 (solid waste handling, disposal, waste reduction, and waste diversion) and 4421 (the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to comply

with the waste diversion mandates of Assembly Bill 939 (AB 939) which mandates all cities and counties in California to divert recyclable solid waste from landfills. Both of these Ordinances may be viewed in their entirety on the IWMD's website at: www.wasteless.org/landfills/ordinances.

Pursuant to IWMD review and responsibilities, the following contract specifications shall apply to uncontaminated materials generated by this project:

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris

Contract specifications for this project must include a requirement that C&D debris generated by the demolition of uncontaminated buildings on the project site must be diverted from the landfill. Recyclable C&D materials include, but are not limited to, concrete, asphalt, rebar, wood, and metal. These materials must be recycled at an appropriate, permitted C&D debris recycling facility. A complete list of permitted C&D debris recycling facilities in Ventura County is available at: www.wasteless.org/construction&demolitionrecyclingresources. All uncontaminated, non-recyclable, materials shall be disposed of at a permitted disposal facility.

Uncontaminated Soil - Recycling & Reuse

Contract specifications for this project must include a requirement that uncontaminated soil that is not reused on-site during the C&D phase(s) of this project shall be transported to an authorized and/or permitted organics facility for recycling or reuse. Illegal disposal and landfilling of uncontaminated soil is prohibited. A complete list of facilities in Ventura County that recycle uncontaminated soil is available at: www.wasteless.org/construction&demolitionrecyclingresources.

Uncontaminated Green Materials - Recycling & Reuse

The Contract Specifications for this project must include a requirement that uncontaminated wood waste and vegetation removed during the C&D phase(s) of this project must be diverted from the landfill. This can be accomplished by on-site chipping and land-application at the project site if deemed appropriate by NASA, or by transporting uncontaminated materials to an authorized and/or permitted greenwaste facility in Ventura County. A complete list of authorized greenwaste facilities is located at: www.wasteless.org/greenwasterecyclingfacilities.

Recyclable, Uncontaminated Construction & Demolition (C&D) Debris – Required Reports

Per Ventura County Ordinance 4421:

1. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed ***Form B – Recycling Plan*** to the IWMD for approval. The ***Form B – Recycling Plan*** must specify how uncontaminated, recyclable C&D debris generated by the project (e.g., concrete, asphalt, wood, soil, greenwaste, metal) will be diverted from the landfill. A copy of IWMD's ***Form B – Recycling Plan*** is available at: www.wasteless.org/recycling/greenbuildingCD.

2. Contractors selected to demolish uncontaminated buildings/structures at the Santa Susana Field Laboratory site are required to submit a completed

Form C – Recycling Report to the IWMD at the conclusion of the project. The ***Form C – Recycling Report*** must have original recycling facility receipts and/or other documentation attached to verify that recycling, NASA approved on-site reuse, or salvage of uncontaminated C&D debris occurred. A copy of IWMD's ***Form C – Recycling Report*** is available at: www.wasteless.org/recycling/greenbuildingCD.

Should you have any questions regarding this memo, please contact Pandee Leachman at 805/658-4315.

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

MEMORANDUM

DATE: August 20, 2013

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Transportation Department

SUBJECT: **REVIEW OF DOCUMENT 13-019** Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities for NASA-administered portion of the **Santa Susana Field Laboratory (SSFL).**
Simi Hills, Ventura County (State)
Lead Agency: **California Department of Toxic Substances Control (DTSC)**

Pursuant to your request, the Public Works Agency – Transportation Department has completed the review of the Draft Environmental Impact Statement (DEIS) for Proposed Demolition and Environmental Cleanup Activities for the National Aeronautics and Space Administration (NASA)-administered portion of the Santa Susana Field Laboratory (SSFL) located in the Simi Hills south of the City of Simi Valley and west of the Ventura and Los Angeles County jurisdictional boundary.

Site activities at the 2,850-acre SSFL have included research, development, and testing of liquid-fueled rocket engines and components for various governmental space programs. Rocketdyne (predecessor to Boeing) began operations in the late 1940s for the Air Force and then NASA. NASA gradually discontinued testing in the 1980s, with final tests conducted in 2006. The site consists of four administrative areas known as Areas I, II, III, and IV and two undeveloped areas or buffer zones.

This project proposes a demolition of approximately 100,000 CY of debris (tests stands and other structures) and 500,000 CY of soil in the NASA-administered areas, approximately 41.7 acres within Area I and all 409.5 acres of Area II. The Boeing company manages the remaining area of the property (2,398.8 acres). This project will generate approximately 39,000 trucks over an estimated 650 working days. The project will require 34 construction workers during the 150-day demolition phase and 15 construction workers during the 500-day excavation and disposal phase.

The California DTSC oversees the comprehensive environmental investigation, monitoring, and cleanup program of contamination at the SSFL. The process for actual cleanup includes: (1) Resource Conservation Recovery Act (RCRA) Facility Investigations (RFI) Reports; (2) a Feasibility Study; (3) a Risk Assessment; (4) a draft Remedial Action Plan (RAP); (5) a draft Environmental Impact Statement (EIS); (6) final RAP; and (7) final EIS.

We have reviewed several documents in regard to the SSFL cleanup. Our previous comments are still valid and applicable.

We offer the following comments on the DEIS for the demolition and cleanup activities in the NASA-administered areas of the SSFL:

1. According to the Truck Route Map (Figure 4.5-1), the project proposes to access the SSFL via Santa Susana Pass Road and Box Canyon Road in the County of Ventura and Woolsey Canyon Road in the County of Los Angeles.

    a. The project proponent should be aware that Santa Susana Pass Road from Katherine Road to Rocky Peak Road has a "No Trucks Over 2 Axles" Truck Restriction adopted by the Ventura County Board of Supervisors (BOS) February 4, 1986.

    b. The project proponent should be aware that Box Canyon Road from Santa Susana Pass Road to the Ventura County and Los Angeles County jurisdictional boundary has a "No Trucks 3 Or More Axles" Truck Restriction adopted by the BOS September 28, 1999.

    c. If the project proponent plans to use trucks that are not restricted on Santa Susana Pass Road or Box Canyon Road, then please include these roads in the survey of road conditions as described in Traffic MM-2 on Pages 6-3 of the DEIS.

        i. Proper precautions should be taken to protect all County road facilities in the unincorporated areas.

        ii. If, in the opinion of the Transportation Department, any portion of a County road is damaged by the project's operations, then it should be repaired in accordance with current standard construction details and/or in a manner acceptable to the Transportation Department.

        iii. An Encroachment Permit is required for any work in the public right-of-way.

    d. The Transportation Department will not allow/permit hauling on Black Canyon Road north of the project site.

2. Please notify the Transportation Department when the Final EIS is ready for review and comment.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

ec: Anitha Balan, Permits, Transportation Department